

tobacco and cigars from the Philippine Islands—to the Committee on Ways and Means.

By Mr. ROBINSON of Indiana: Papers to accompany bill for relief of Joseph C. Prossler—to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of John H. Caton, of Mount Pisgah, Ind.—to the Committee on Invalid Pensions.

By Mr. RYAN: Petition of the Carriage Builders' National Association, for legislation empowering the Interstate Commerce Commission to change freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. SHEPPARD: Papers to accompany bill for relief of John Winemiller—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill for relief of Ida M. Long—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: Petition of 50 citizens of Fenton, Mich., urging legislation against polygamy—to the Committee on the Judiciary.

Also, petition of W. H. Magee, of Strohbridge, Mich., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles Burnett et al., of Rose, Mich., favoring bill H. R. 13778—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Hartland, Mich., against the enactment of legislation favoring the domestic parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Pontiac Grange, No. 283, favoring the Grout bill—to the Committee on Agriculture.

Also, petition of Oxford Grange, No. 395, favoring the Grout bill—to the Committee on Agriculture.

Also, petition of George B. D. Alexander, for an increase of pension—to the Committee on Pensions.

By Mr. STERLING: Papers to accompany bill H. R. 16422, for the relief of Edward Cook—to the Committee on Claims.

Also, papers to accompany bill H. R. 16622, for the relief of William H. Boyle—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 16621, for the relief of William Meredith—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 16254, for relief of Lydia R. Howard—to the Committee on Invalid Pensions.

SENATE.

MONDAY, January 9, 1905.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

IRRIGATION IN CALIFORNIA AND ARIZONA.

The PRESIDING OFFICER (Mr. PERKINS) laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, information relative to the use of the waters of the Lower Colorado River for the irrigation of arid lands in the State of California and the Territory of Arizona; which, with the accompanying paper, was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the trustees of the Mount Horeb Methodist Episcopal Church South, of Fauquier County Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Clayton G. Landis, administrator of the estate of David B. Landis, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ELECTORAL VOTES.

The PRESIDING OFFICER laid before the Senate communications from the Secretary of State, transmitting the final ascertainment of the electors for President and Vice-President for the States of Washington, New Hampshire, and South Carolina; which, with the accompanying papers, were ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 14351) for the relief of the Gull River Lumber Company, its assigns or successors in interest; and

A bill (H. R. 17094) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. GAMBLE presented a petition of the Business Men's Club of Deadwood, S. Dak., and a petition of the Retail Implement Dealers' Association of Alexandria, S. Dak., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Woman's Christian Temperance Union of Gary, S. Dak., remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Volin, S. Dak., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of the Merchants' Exchange of St. Louis, Mo., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

He also presented the petition of Mrs. J. A. Arbuthnot, of Brookfield Mo., and a petition of sundry citizens of Linn County, Mo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented petitions of sundry citizens of Odell, of the Woman's Christian Temperance Union of Mount Sterling, and of sundry citizens of Chrisman, all in the State of Illinois, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the Indian Territory when admitted to statehood; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Chicago, Ill., praying that an investigation be made into the conditions existing in the Kongo Free State; which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Philadelphia, Pa., praying for the ratification of international arbitration treaties; which was referred to the Committee on Foreign Relations.

Mr. McENERY. I present a concurrent resolution of the legislature of Louisiana, favoring an appropriation for the improvement of the navigation of the Sabine River from its mouth to Logansport, in that State. I ask that the resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 15.

Memorializing Congress to make appropriations for the improvement of the navigation of the Sabine River from its mouth to Logansport, La.

Whereas in the opinion of this body the Sabine River Valley and adjacent territory would be greatly benefited by the making navigable this river: Therefore, be it

Resolved by the legislature of the State of Louisiana, That the Congress of the United States is hereby memorialized in the interest of navigation, commerce, and the general welfare of the people of the Sabine River Valley to secure an appropriation for survey and improvement of said Sabine River; that our Senators and Representatives in Congress be urged to use their influence to this end: Therefore, be it

Resolved, That a copy of this resolution, duly certified, be forwarded to our Senators and Representatives in Congress.

R. H. SNYDER,

Speaker of the House of Representatives.

P. M. LAMBERMONT,

President pro tempore of the Senate.

NEWTON C. BLANCHARD,

Governor of the State of Louisiana.

Approved.

Mr. McENERY. I present a concurrent resolution of the legislature of Louisiana, favoring an appropriation to complete the construction of the locks on Bayou Plaquemine at a point where it empties into the Mississippi River. I ask that the resolution be printed in the RECORD, and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 6, memorializing Congress to complete the construction of the locks on Bayou Plaquemine at the point where the aforesaid bayou empties into the Mississippi River.

Whereas in the opinion of this body the Teche Valley would be greatly benefited by the completion of the locks now in the course of construction on Bayou Plaquemine near the town of Plaquemine, parish of Iberville: Therefore be it

Resolved by the legislature of the State of Louisiana, That the Congress of the United States is hereby memorialized in the interest of

navigation, commerce, and the general welfare of the people of the Teche section to have completed the locks on Bayou Plaquemine where the aforesaid bayou empties into the Mississippi River, and that our Senators and Representatives be urged to use their influence to that end: Therefore be it further

Resolved, That a copy of this resolution, duly certified, be forwarded to our Senators and Representatives in Congress.

R. H. SNYDER,
Speaker of the House of Representatives.
P. M. LAMBREMENT,
President pro tempore of the Senate.

Approved, June 18, 1904.

NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

Mr. MCENERY. I present a concurrent resolution of the legislature of Louisiana relative to divorcing the Mississippi River from the Red and Atchafalaya rivers and for the immediate completion of the locks at Bayou Plaquemine and the improvement of that navigation. I ask that the resolution be printed in the RECORD, and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 11.

Resolution for divorcing the Mississippi River from the Red and Atchafalaya rivers, and for the immediate completion of the locks at Bayou Plaquemine and the improvement of that navigation.

Whereas there is great danger of the Mississippi River taking the shortest and most direct route to the Gulf of Mexico by the Atchafalaya River, through the mouth of the Red and Old rivers; the distance by the Atchafalaya from its head, on a direct line, to the nearest point on the Gulf being 86 miles, and by its channel and that of its numerous outlets and lakes, by Berwick Bay, to the Gulf 125 miles, the distance from the mouth of the Red, by the Mississippi, to the Gulf of Mexico being 315 miles, proving that route more than one-third shorter, endangering a large number of the richest parishes in the State, lying on the west bank of the Lafourche, and including the beautiful Teche and Vermilion parishes, and flooding of its valley and basin, containing 8,100 square miles, or 5,184,000 acres, of the richest lands in the world, of which only a portion has been improved and put in cultivation where protected by levees on the Mississippi and upper Atchafalaya rivers;

Whereas the floods of the Mississippi pouring into the mouth of the Red through 26½ miles of abandoned levees throw its waters into the Red and Atchafalaya rivers, damming up the Red, the Black, and the Ouachita rivers, also the Tensas and other bayous that drain the Tensas basin, thereby stopping the drainage from rain and crevasses and causing immense damage to the lands under cultivation and rendering the greater portion of 3,436,000 acres unfit for improvement and cultivation;

Whereas by entirely divorcing the Mississippi from the Red and letting it entirely discharge its waters into the Atchafalaya the whole Tensas basin will be relieved and at the same time the Atchafalaya Valley and basin not endangered, it having been estimated by United States engineers that it requires one-sixth of the flood waters of the Mississippi to endanger or flood the lands of the Atchafalaya Valley or basin; and by doing this at least one-half of 8,620,800 acres now flooded and rendered unfit for cultivation can be reclaimed and rendered cultivable with little or no expense for levees; and it will not only do this but it will prevent all danger of the Mississippi from taking the short and direct route to the Gulf, leaving the great city of New Orleans with its immense commerce without a river; and

Whereas by the completion of the locks at Bayou Plaquemine and the improvement of the navigation the whole waters of western Louisiana will have a certain communication with the Mississippi and New Orleans at low water and at all seasons of the year: Therefore,

Be it resolved by the house of representatives (the senate concurring therein), That we urge the immediate completion of the locks at Bayou Plaquemine and the improvement of navigation so that steamboats and other craft can pass through the locks into the Mississippi River at all seasons of the year, drawing at least 6 feet of water; that as soon as this is done immediate steps be taken for the divorcing of the Mississippi from the Red and rebuilding of the 26 miles or more of abandoned levees above the mouth of the Red River, thus redeeming at least 5,000,000 acres of the richest lands in the world for settlement, cultivation, and improvement, adding one-third to the wealth of the State and benefiting the whole nation.

Be it further resolved, That our Senators and Representatives in Congress are hereby requested to give their immediate attention to these resolutions and that a copy hereof be forwarded to each of them and to the Secretary of War.

R. H. SNYDER,
Speaker of the House of Representatives.
P. M. LAMEREMONT,
President pro tempore of the Senate.

Approved, July 6, A. D. 1904.

NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

Mr. MCENERY. I present a concurrent resolution of the legislature of Louisiana, favoring an appropriation to secure slack-water navigation in Bayou Macon and Boeuf River, providing for survey, dredging shoals, and building locks and dams. I ask that the resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

House concurrent resolution No. 7, memorializing Congress in behalf of an appropriation to secure slack-water navigation in Bayou Macon and Boeuf River, providing for survey, dredging shoals, building locks and dams.

SECTION 1. Whereas the commerce of our country is affected by and dependent upon the betterment of our transportation facilities; and

Whereas the improvement of the navigation of our waterways is the cheapest, safest, and surest means of transportation; and

Whereas, the same properly and justly comes under the province and jurisdiction of our General Government; and

Whereas Bayou Macon and Boeuf River, situated in the northeastern portion of this State, are important tributaries to our great Mississippi waterways, taking their source far up in the State of Arkansas and coursing along through and draining a vast and magnificent stretch of territory in Louisiana and Arkansas, finely timbered by a great variety of hard and soft woods, and whose soil is very fertile and productive and susceptible of a very high state of development and cultivation; and

Whereas this section is comparatively new, backward, and undeveloped, without adequate and proper "outlets" to the markets of the world; and

Whereas the improvement of the drainage and navigation of these streams is of paramount importance and interest to the material welfare and to the development and commerce of that great section of our Union which is already coming into notice, rapidly forging to the front, reaching out, seeking after, and inviting capital and immigration: Therefore, be it

SEC. 2. *Resolved, by the general assembly of Louisiana*, That it is the sense, belief, hope, and earnest desire of this body that it is the duty of the General Government to come speedily and effectually to the relief of these important streams, and we hereby memorialize the Congress of the United States for relief in the premises and we call upon our Representatives and Senators in that august body to urge action thereon and to use their influence and utmost endeavors to secure an appropriation of \$125,000, or as much thereof as may be necessary and required, to make preliminary surveys and to dredge, lock, and thereby improve the navigation and commerce of said streams and section by insuring permanent slack water the year round as far up as practicable.

SEC. 3. That copies of this resolution be placed in the hands of each of our Members of the House and Senate of the United States at the next session of Congress by the secretary of state, calling their attention to and asking early consideration and cooperation in the matter.

R. H. SNYDER,
Speaker of the House of Representatives.
P. M. LAMBREMENT,
Lieutenant-Governor and President of the Senate.

Approved:

NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

Mr. FAIRBANKS presented a memorial of the Arizona Bar Association, of Arizona, and a memorial of the Chamber of Commerce of Tucson, Ariz., remonstrating against the enactment of legislation providing for the admission of Arizona and New Mexico into the Union as one State; which were ordered to lie on the table.

He also presented a memorial of the Colorado Beet Sugar Manufacturers' Association, and a memorial of the Michigan Beet Sugar Manufacturers' Association, remonstrating against the enactment of legislation to reduce the present duty on either raw or refined sugar imported into the United States; which was referred to the Committee on Finance.

Mr. PROCTOR presented a petition of Green Mountain Division, No. 330, Brotherhood of Locomotive Engineers, of St. Albans, Vt., praying for the enactment of legislation granting pensions to locomotive engineers who served in the war of the rebellion; which was referred to the Committee on Pensions.

He also presented a memorial of the Woman's Christian Temperance Union of Chittenden, County, Vt., remonstrating against the repeal of the present anticean law; which was referred to the Committee on Military Affairs.

Mr. DOLLIVER presented a petition of the congregation of the Sixth Presbyterian Church of Des Moines, Iowa, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the Indian Territory when admitted to statehood; which was ordered to lie on the table.

He also presented a petition of the Commercial Club of Denison, Iowa, praying for the enactment of legislation to change the postage rate on packages of books and merchandise from 16 cents per pound to 5 cents per pound; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Division No. 211, Brotherhood of Locomotive Engineers, of Eagle Grove, Iowa, praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

He also presented the petition of Peter Hatterscheid and sundry other citizens of Corwith, Iowa, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. MCCOMAS presented a petition of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Forest Glen, Md., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Antietam Lodge, No. 512, Brotherhood of Locomotive Firemen, of Hagerstown, Md., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented a petition of the Commercial Club of Duluth, Minn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Minnesota, praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

Mr. BERRY presented petitions of the Arkansas Synod of the Cumberland Presbyterian Church, of Clarendon; of the White River Conference, Methodist Episcopal Church South, of Augusta, in the State of Arkansas, and of J. M. Birdwell and 49 citizens of Proteau, Ind. T., praying for the enactment of legislation providing for the protection of the Indians against the liquor traffic in the new States to be formed; which were ordered to lie on the table.

Mr. SPOONER presented a petition of the Woman's Christian Temperance Union of Brodhead, Wis., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

Mr. HOPKINS presented petitions of sundry citizens of Fulton, Mount Sterling, La Clede, Quincy, Bartlesville, Paris, Sugar Loaf, Dekalb, Harvey, and Champaign, all in the State of Illinois, praying for the enactment of legislation providing for the protection of Indians against the liquor traffic in the new States to be formed; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Moomence and Chicago, all in the State of Illinois, praying that an investigation be made into the conditions existing in the Kongo Free State; which were referred to the Committee on Foreign Relations.

He also presented petitions of the Illinois State Bar Association, of the Chamber of Commerce of Chicago, of the Business Men's Association of Springfield, and of the Irwin Paper Company, of Quincy, all in the State of Illinois, praying for the ratification of international arbitration treaties; which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Chicago, Alton, Astoria, Aurora, Batavia, Canton, Cobden, Decatur, East St. Louis, Freeport, Galesburg, Harvey, Jacksonville, Joliet, Lasalle, Moline, Monmouth, Naperville, Oregon, Peoria, Rockford, Sandwich, Sparta, Sterling, Waukegan, and Rock Island, all in the State of Illinois, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented petitions of sundry citizens of Boston, Reading, Somerville, and Everett, all in the State of Massachusetts, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Shelburne, Brookline, Manchester, New Bedford, Edgartown, Chicopee Falls, Hyde Park, North Swansea, Lyon, Chelsea, Cambridge, Mansfield, Somerville, and Worcester, all in the State of Massachusetts, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

SALARIES OF TEACHERS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I present a memorial of Washington teachers, showing the necessity for increased salaries in the District of Columbia. The memorial is brief. I move that it be printed, and referred to the Committee on Appropriations.

The motion was agreed to.

REPORT ON CHILDREN'S COURTS.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed and bound in cloth 2,000 copies of the report on Children's Courts in the United States (House Document No. 701, 58th Cong., 2d sess.), of which 1,000 copies shall be for the use of the Senate and 1,000 copies for the Department of State.

REPORT OF MERCHANT MARINE COMMISSION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. GALLINGER on the 5th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in cloth 6,000 copies of the report on the Development of the American Merchant Marine and American Commerce, and of the testimony taken in connection therewith, of which 2,000 copies shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 1,000 copies for the use of the Merchant Marine Commission, of which latter 100 copies shall be bound in half morocco.

REPORTS OF COMMITTEES.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4112) granting an increase of pension to Elizabeth Wynne;

A bill (H. R. 2353) granting an increase of pension to Sophia C. Hilleary;

A bill (H. R. 14150) granting an increase of pension to John J. Carberry;

A bill (H. R. 12058) granting an increase of pension to John W. Dickey;

A bill (H. R. 9771) granting an increase of pension to Mary E. Weaver;

A bill (H. R. 10686) granting an increase of pension to Michael Kurtz;

A bill (H. R. 7367) granting an increase of pension to John M. Barron;

A bill (H. R. 3359) granting an increase of pension to Cyrus E. Salada; and

A bill (H. R. 5245) granting an increase of pension to William A. Helt.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 5455) granting an increase of pension to Jeanie G. Lyles, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7241) granting an increase of pension to Philip H. Strunk;

A bill (H. R. 1907) granting an increase of pension to Wyman J. Crow;

A bill (H. R. 15744) granting an increase of pension to Edward L. Russell;

A bill (H. R. 14951) granting an increase of pension to Benjamin F. Watts;

A bill (H. R. 11402) granting an increase of pension to Agnes B. Hesler;

A bill (H. R. 6543) granting an increase of pension to Robert Liggatt;

A bill (H. R. 12397) granting an increase of pension to Alfred Chill;

A bill (H. R. 4211) granting an increase of pension to Elijah Roberts;

A bill (H. R. 5089) granting an increase of pension to Charles W. McKenney;

A bill (H. R. 5692) granting an increase of pension to John Stanley;

A bill (H. R. 15269) granting a pension to Anna C. Owen;

A bill (H. R. 14576) granting an increase of pension to Evelyn M. Dunn;

A bill (H. R. 6948) granting an increase of pension to Joshua Parsons;

A bill (H. R. 808) granting an increase of pension to George Deland;

A bill (H. R. 11451) granting an increase of pension to Alexander Morrison;

A bill (H. R. 15743) granting an increase of pension to Desire Leglise;

A bill (H. R. 8166) granting an increase of pension to Martha A. Johnson;

A bill (H. R. 10945) granting a pension to Lola Qualls;

A bill (H. R. 9115) granting an increase of pension to Merritt Mead;

A bill (H. R. 11148) granting an increase of pension to George W. Stanfield;

A bill (H. R. 6961) granting an increase of pension to Thomas E. Rice;

A bill (H. R. 10554) granting an increase of pension to John McGregor; and

A bill (H. R. 6640) granting an increase of pension to John A. Courtney.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 4728) granting an increase of pension to William W. Smith, reported it with an amendment, and submitted a report thereon.

He also (for Mr. PATTERSON), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13501) granting an increase of pension to James L. Townsend;

A bill (H. R. 3712) granting a pension to Frederick W. Tappmeyer;

A bill (H. R. 12052) granting a pension to Walter P. Mitchell;

A bill (H. R. 11984) granting an increase of pension to Edward C. Jones; and

A bill (H. R. 10969) granting an increase of pension to Joseph H. Shay.

Mr. McCUMBER (for Mr. CARMACK), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5436) granting a pension to Hiram Baird;

A bill (H. R. 5461) granting an increase of pension to Preston D. Roady;

A bill (H. R. 12576) granting an increase of pension to William M. Kitts;

A bill (H. R. 11235) granting a pension to Clarissa E. McCormick;

A bill (H. R. 12577) granting an increase of pension to James Graves; and

A bill (H. R. 1099) granting an increase of pension to Lewis O. Marshall.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4655) granting an increase of pension to Henry Jeffers; and

A bill (H. R. 14184) granting an increase of pension to James Ginnane.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6506) granting an increase of pension to Edward M. Rhoades;

A bill (H. R. 15688) granting an increase of pension to Augustus H. Haines;

A bill (H. R. 6129) granting an increase of pension to Edwin M. Raymond;

A bill (H. R. 2558) granting an increase of pension to John Cummings;

A bill (H. R. 11661) granting an increase of pension to William H. McClurg;

A bill (H. R. 5037) granting an increase of pension to Richard H. Stillwell;

A bill (H. R. 11788) granting an increase of pension to Henry L. Kyler;

A bill (H. R. 4948) granting a pension to Wilson H. Davis;

A bill (H. R. 2151) granting an increase of pension to Samuel H. Hunt;

A bill (H. R. 9798) granting an increase of pension to Isaac W. Sherman;

A bill (H. R. 14601) granting an increase of pension to William Scheall; and

A bill (H. R. 12859) granting an increase of pension to James Donnelly.

Mr. OVERMAN, from the Committee on Pensions, to whom was referred the bill (H. R. 15404) granting an increase of pension to John A. Hayward, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4392) granting an increase of pension to Samuel Hyatt, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4660) granting an increase of pension to Nellie B. Newton, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10272) granting an increase of pension to Lorenzo Streeter;

A bill (H. R. 14855) granting an increase of pension to Henry C. Thayer;

A bill (H. R. 15144) granting an increase of pension to William J. Reynolds;

A bill (H. R. 912) granting an increase of pension to John F. Dorsey;

A bill (H. R. 6832) granting an increase of pension to Nathaniel Cayes;

A bill (H. R. 15785) granting an increase of pension to Charles E. Young.

A bill (H. R. 3287) granting an increase of pension to Orin Plaisted;

A bill (H. R. 15680) granting an increase of pension to Isaac Hanson;

A bill (H. R. 15071) granting an increase of pension to Matilda L. Curkendall;

A bill (H. R. 15779) granting an increase of pension to Lucinda M. Reeves; and

A bill (H. R. 15791) granting a pension to Mary Suppes.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (H. R. 6857) granting an increase of pension to Lorenzo D. Jameson, reported it without amendment, and submitted a report thereon.

ESTATE OF HENRY LEE, DECEASED.

Mr. WARREN. There has been referred to the Committee on Claims the bill (H. R. 6375) for the relief of the executors of the estate of Henry Lee, deceased. As the bill relates to taxes upon legacies, incomes, etc., the Committee on Claims report the same back, asking that they may be discharged from the further consideration of the bill, and suggesting that it be referred to the Committee on Finance.

The PRESIDING OFFICER. The Committee on Claims will be discharged from the further consideration of the bill and it will be referred to the Committee on Finance, in the absence of objection.

VIEWS OF MINORITY OF MERCHANT MARINE COMMISSION.

Mr. MALLORY. I submit the views of the minority of the Merchant Marine Commission. I move that the views of the minority be printed and referred to the Committee on Commerce.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. SCOTT introduced a bill (S. 6373) for the relief of Mrs. Thomas McLaughlin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PROCTOR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6374) granting an increase of pension to Lewis Secor (with accompanying papers);

A bill (S. 6375) granting a pension to Sarah A. E. Walton (with accompanying papers);

A bill (S. 6376) granting an increase of pension to Henry S. Dewey; and

A bill (S. 6377) granting a pension to Belle Elder.

Mr. WARREN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6378) granting an increase of pension to Marie Louise Michie;

A bill (S. 6379) granting an increase of pension to James M. Conrad (with accompanying papers); and

A bill (S. 6380) granting a pension to Martha L. H. Spurgin.

Mr. BARD introduced a bill (S. 6381) granting an increase of pension to John Hamilton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 6382) for the relief of William M. West; which was read twice by its title, and referred to the Committee on Claims.

Mr. DIETRICH introduced a bill (S. 6383) to provide for an Alaskan government board, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. McCUMBER (by request) introduced a bill (S. 6384) granting an increase of pension to Elizabeth Jackson; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 6385) granting an increase of pension to Antonette Stewart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 6386) to regulate the employment of child labor in the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 6387) authorizing the extension of Rhode Island avenue NE.; which was read twice by its title, and with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 6388) granting an increase of pension to George W. Hadlock; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6389) granting a pension to Ellen Harriman (with an accompanying paper);

A bill (S. 6390) granting a pension to Hannah A. Sawyer;

A bill (S. 6391) granting an increase of pension to Albert C. Andrews (with an accompanying paper);

A bill (S. 6392) granting a pension to Lydia Jones (with accompanying papers);

A bill (S. 6393) granting an increase of pension to Charles M. Bailey (with an accompanying paper);

A bill (S. 6394) granting an increase of pension to Frank B. Dore (with an accompanying paper);

A bill (S. 6395) granting a pension to Emma F. Evans; and

A bill (S. 6396) granting a pension to Leocardia F. Flowers.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 6397) for the relief of the trustees of Liberty Church, Dranesville, Va.;

A bill (S. 6398) for the relief of the trustees of the Presbyterian Church of Marshall, Va.;

A bill (S. 6399) for the relief of the vestry of St. James Protestant Episcopal Church, of Culpeper County, Va.;

A bill (S. 6400) for the relief of the trustees of Mount Zion Old School Baptist Church, near Aldie, Loudoun County, Va.; and

A bill (S. 6401) for the relief of the trustees of the Methodist Episcopal Church South, of Jeffersonton, Culpeper County, Va.

Mr. SMOOT introduced a bill (S. 6402) granting an increase of pension to Samuel Lewis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 6403) granting an increase of pension to Daniel L. Wise; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 6404) granting an increase of pension to George W. Cowen; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6405) granting an increase of pension to Jennie L. Overton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FULTON introduced a bill (S. 6406) providing for the purchase and condemnation of irrigable lands in certain cases; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. NELSON introduced a bill (S. 6407) granting an increase of pension to John Dempster Croissant; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 6408) granting an increase of pension to Michael L. Cunningham; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6409) granting an increase of pension to Louis N. Frank; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (S. 6410) to provide for the deposit of the savings of enlisted men of the United States Marine Corps (with an accompanying paper);

A bill (S. 6411) relating to certified checks furnished to secure compliance with proposals and contracts for naval supplies (with an accompanying paper);

A bill (S. 6412) relating to the band of the United States Marine Corps (with an accompanying paper); and

A bill (S. 6413) to provide for the temporary warranting and for the retirement of pay clerks in the Navy.

Mr. HALE introduced a bill (S. 6414) granting an increase of pension to John Kief; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 6415) granting an increase of pension to Daniel Bolen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER. For my colleague [Mr. QUARLES], who is necessarily absent, I introduce three bills.

The bills, which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions, are as follows:

A bill (S. 6416) granting a pension to Nancy Young;

A bill (S. 6417) granting an increase of pension to Lucy F. Crutenden; and

A bill (S. 6418) granting an increase of pension to Wallace Goff.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 6419) granting an increase of pension to Thomas J. Hart (with an accompanying paper);

A bill (S. 6420) granting an increase of pension to James G. Hannard; and

A bill (S. 6421) granting an increase of pension to Salem Bruner (with an accompanying paper).

Mr. GALLINGER introduced a bill (S. 6422) to amend an act approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company, in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes;" which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 6423) to establish a railroad storage yard for the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. NELSON introduced a joint resolution (S. R. 88) authorizing the Secretary of War to furnish a condemned cannon to the board of regents of the University of Minnesota, at Minneapolis, Minn., to be placed on campus as a memorial to students of said university who served in Spanish war; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO STATEHOOD BILL.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was ordered to lie on the table, and be printed.

Mr. TELLER. I offer an amendment in the nature of a substitute for the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States. I ask that the proposed amendment may be printed. As the committee has already reported the bill, I do not desire that the amendment shall be referred.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CRANE submitted an amendment proposing to appropriate \$47,500 to pay the balance of interest found due and remaining unpaid on such Kaw or Kansas Indian scrip promising to pay 6 per cent upon the principal of the same as shall have been filed in the Interior Department on or before the 1st day of March, 1890, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HALE submitted an amendment proposing to authorize the Secretary of the Navy, in his discretion, to require the whole or a part of the bounty allowed upon enlistment to be refunded in cases where men are discharged during the first year of enlistment, by request, for inaptitude, as undesirable, or for disability not incurred in the line of duty, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

EUGENE D. DIMMICK—WITHDRAWAL OF PAPERS.

On motion of Mr. PROCTOR, it was

Ordered, That the papers in the case of S. 2637, second session Fifty-eighth Congress, "Authorizing the appointment of Eugene D. Dimmick, colonel, United States Army, retired, as brigadier-general," be withdrawn from the files of the Senate, there having been no adverse report thereon.

REPORT OF YOSEMITE PARK COMMISSION.

On motion of Mr. BARD, it was

Ordered, That the original manuscript of the report of the Yosemite Park Commission, printed as Senate Document No. 34, Fiftieth Congress, third session, be taken from the files of the Senate and returned to the Interior Department, said manuscript being of the original files of that Department.

MEMORIAL ADDRESSES ON THE LATE SENATOR HOAR.

Mr. LODGE. Mr. President, I desire to give notice that on January 28, immediately after the routine morning business, I shall ask the Senate to consider resolutions in commemoration of the life, character, and public services of my late colleague, Hon. GEORGE FRISBIE HOAR.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Agriculture and Forestry, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a report, by the Secretary of Agriculture, of the operations of the Bureau of Animal Industry of the Department of Agriculture for the fiscal year ended June 30, 1904, in compliance with the requirements of section 11 of the act approved May 29, 1884, for the establishment of that Bureau.

THEODORE ROOSEVELT.

WHITE HOUSE, January 9, 1905.

EFFICIENCY OF THE ARMY.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Military Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I have, in a former message, stated to the Congress my belief that our Army need not be large, but that it should in every part be brought to the highest point of efficiency. The Secretary of War has called to my attention the fact that the act approved February 2, 1901, which accomplished so much to promote this result, failed to meet the needs of one staff department, in which all of our people are peculiarly interested and of which they have a right to demand a high degree of excellence. I refer to the Medical Department. Not only does a competent medical service by safeguarding the health of the Army contribute greatly to its power, but it gives to the families of the nation a guaranty that their fathers, brothers, and sons who are wounded in battle or sickened in the camp shall have not only skilled medical aid, but also that prompt and well-ordered attention to all their wants which can come only by an adequate and trained personnel.

I am satisfied that the Medical Corps is much too small for the needs of the present Army and therefore very much too small for its successful expansion in time of war to meet the needs of an enlarged Army, and, in addition, to furnish the volunteer service a certain number of officers trained in medical administration. A bill which, in the opinion of the Secretary of War, of the late Secretary of War, and of the General Staff of the Army, supplies these deficiencies was introduced at the last session of Congress and is now before you. I am also advised that it meets the cordial approval of the medical profession of the country. It provides an organization which, when compared with that of other nations, does not seem to err on the side of excessive liberality, but which is believed to be sufficient. I earnestly recommend its passage by the present Congress. If the Medical Department is left as it is, no amount of wisdom or efficiency in its administration would prevent a complete breakdown in the event of a serious war.

I transmit herewith a memorandum which has been prepared for me by the Surgeon-General of the Army, and also the remarks of the former and of the present Secretary of War with reference to this bill.

It is reported to me that the Ordnance Corps is in a position of disadvantage; that its personnel is inadequate to the performance of the duties with which it is charged, and that under existing conditions it is unable to recruit its numbers with officers of the class necessary for the conduct of its very technical work. It is unnecessary for me to lay stress upon the desirability of having the design and manufacture of the material with which we are to fight in competent and sufficient hands, as there is no difference of opinion as to the intention of all concerned to have provided a proper supply of weapons, munitions, engines of war, equal in conception and construction to any in the world, and superior in any respects in which by skill and attention we may be able to compass such superiority.

The greatly increased utilization of the exact sciences in ordnance construction requires a larger personnel for their application, and the process of its selection should be severely and continuously discriminating, under conditions offering stimulus sufficient to cause officers of proper capacity, of whom it appears there are plenty, to wish to subject themselves to it. A bill embodying the necessary provisions and involving no radical departure from existing methods has been prepared by the War Department. I think it should be passed.

THEODORE ROOSEVELT.

WHITE HOUSE, January 9, 1905.

Mr. COCKRELL. Mr. President, if I am not very much mistaken, the Senate has already passed both the bills referred to in the message; but I ask that the message may be printed and referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Such will be the order of the Senate in the absence of objection.

Mr. WARREN. Both those bills have passed the Senate and gone to the House of Representatives.

Mr. COCKRELL. Yes; I think both the bills referred to in the message have already passed the Senate.

Mr. WARREN. Yes.

HOUSE BILLS REFERRED.

The act (H. R. 17094) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The act (H. R. 14351) for the relief of the Gull River Lumber Company, its assigns or successors in interest, was read twice by its title, and referred to the Committee on Military Affairs.

COLVILLE INDIAN RESERVATION, WASH.

Mr. ANKENY. I ask unanimous consent for the present consideration of the bill (S. 5187) to provide for the opening of the remaining portion of the Colville Indian Reservation, in the State of Washington, and for other purposes.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BURROWS. I should like to inquire of the Senator from

Washington whether the bill has the approval of the Interior Department?

Mr. ANKENY. I am not aware that it has.

Mr. BURROWS. Is there a report accompanying the bill?

Mr. ANKENY. There is.

The PRESIDING OFFICER. Does the Senator from Michigan ask for the reading of the report?

Mr. BURROWS. I should like to know if there is a letter from the Interior Department embraced in the report?

The PRESIDING OFFICER. The Chair is informed that there is no letter from the Department embodied in the report of the committee.

Mr. BURROWS. Is there a communication from the Department in regard to it?

Mr. ANKENY. I am not aware of any.

Mr. BURROWS. I understand the Senator from Washington to state that he is not aware that the bill has received the approval of the Interior Department. I ask for the reading of the report.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. STEWART April 8, 1904, as follows:

The Committee on Indian Affairs, having had under consideration the bill (S. 5187) providing for the opening of the south half of the Colville Indian Reservation, in the State of Washington, beg leave to report the same favorably and recommend its passage.

A bill (S. 345) in some respects similar to this bill (S. 5187) was reported favorably on January 25 by Mr. TELLER, who reviewed the facts in the case in Senate Report No. 468.

In presenting a report on House bill 12235, which is similar to the bill now under consideration (S. 5187), Mr. HINSHAW, from the Committee on Indian Affairs, made the following statement:

"The Committee on Indian Affairs, having had under consideration the bill (H. R. 12235) providing for the opening of the south half of the Colville Indian Reservation, in the State of Washington, beg leave to submit the following report:

"The Colville Indian Reservation was set aside in 1872, by Executive order, so as to provide a definite location for certain Indian bands which then were roaming around over the Northwest country without any fixed abode, and for such other Indians as might from time to time be placed there by the Government. Several different tribes have been placed thereon, but no treaty relations exist with any of them. On the reservation are to be found members of the following tribes: Lake Colville, Okinagan, Columbias, Nez Percé, Sanpoil, and Nespelim.

"Originally the reservation contained about 3,000,000 acres of land, and was located in the north-central part of the State of Washington. In 1892 an act was passed to provide for the opening of the north half of the reservation. Prior to this time a commission had been appointed to treat with the Indians, and an agreement had been made to pay them \$1,500,000. A bill was introduced in the House of Representatives to ratify this agreement. It passed the House of Representatives, but when it came before the Senate committee all after the enacting clause was stricken out, and it was provided that the north half should be thrown open to homestead entry and that the homesteaders, in addition to complying with the homestead laws, should pay \$1.50 per acre for the land. This did not go to the Indians, however, but was to go into the Treasury of the United States, subject to appropriation by Congress for any public use, and, until so appropriated, might be used for the support and education of the Indians. The Senate acted upon the theory that the Indians had no title to the lands, but were occupying them under a license. The report of the committee (S. Report No. 664, 52d Cong., 1st sess.) states:

"This Executive order defines the Colville Reservation as it now exists, and is the sole basis upon which the right of occupancy of these Indians rests. Under this order the Indians were given a license to occupy the lands described in it so long only as it was the pleasure of the Government they should do so, and no right, title, or claim to such lands has vested in the Indians by virtue of this occupancy. So that in the opinion of the committee Congress is entirely free to legislate concerning the lands embraced in this reservation and make such disposition of them as it deems proper. An erroneous idea seems to have grown up that the Indian allotment act and its amendments have given additional sanctions to Executive reservations and operated to confer titles upon the Indians occupying them they did not before possess. The language of that act is simply an authorization to the President, and is as follows:

"In all cases where any tribe or band of Indians has been or shall hereafter be located upon any reservation created for their use, either by treaty stipulation or by virtue of an act of Congress or Executive order setting apart the same for their use, whenever in his opinion any reservation, or any part thereof, of such Indians is advantageous for agricultural and grazing purposes, to cause such reservations, or any part thereof, to be surveyed, or resurveyed if necessary, and to allot the lands in such reservation in severalty to any Indian located thereon."

"At the time of the enactment of this statute there were fifty-six Executive reservations, embracing perhaps from 75,000,000 to 100,000,000 acres of the public lands, in which the Indians had no right or claim of title and which could be extinguished by act of the President. It would be preposterous to place such a construction upon the language of this act as would divest the United States of its title to these lands. It extended no further than a legislative recognition of Executive reservations. No part of the Colville Reservation has been surveyed. No allotments have been made upon it. No selections for allotments have been had, and, in fact, no basis of selections by individual Indians for allotment purposes yet exists.

"Individual Indians have occupied and improved holdings in the faith that hereafter they would be permitted to obtain the same by allotment, and this expectation should not be disappointed. The Colville Reservation is in the form of an irregular square, bounded on the east and south by the Columbia River, west by the Okonogan River, and on the north by the forty-ninth parallel or international boundary line. It contains about 3,000,000 acres.

"The bill as it passed the House proposes, with certain modifications, the ratification, confirmation, and carrying into effect of an agreement of cession and relinquishment entered into between the Indians occupying this reservation and three commissioners appointed by

the President for the purpose, in pursuance of a provision contained in the last Indian appropriation act.

"The House bill, as your committee has shown, rests upon an entirely erroneous basis, and would not only commit the Government to relinquish its complete title in the land proposed to be ceded, but compel it to pay such a purchase price therefor as the Indians having no claim to it might exact, and also commit the Government to an acknowledgment of Indian title to the remainder of the reservation. The Colville agent in his last report submits a carefully prepared census, taken by himself and employees, of the Indians under his charge, including those on this reservation.

Name of tribe.	Males above 18 years.	Females above 14 years.	Children be- tween 6 and 16 years.	Persons not other- wise en- umerated.	Total.
Lake	117	112	74	45	348
Colville	109	91	62	41	303
Okanagan	120	152	102	63	437
Columbias	144	152	67	43	406
Joseph's band of Nez Percé	40	62	11	16	129
Nespelem	19	22	12	6	59
Sanpoil ^a	135	165			300
Total	684	756	328	214	1,982

^a Estimated.

"This substantially agrees with the enumeration made by said Commission, which placed the number of male Indians above the age of 18 years rightfully on the reservation at 685. Many of the Lake and Colville Indians are industrious and have made encouraging progress in civilization. They reside along the upper Columbia River, on the northern part of the reservation. They cultivate the soil, are self-supporting, and desirous of educating their children and acquiring in severalty the lands they occupy. They are largely on the land proposed to be vacated as a reservation and opened up to settlement. A number of the Okanagans and some of the Moses Indians are on this portion of the reservation. The latter have made commendable progress, though not so far advanced in civilization as the Lakes and Colvilles.

"The Columbias and Nez Percés were placed upon this reservation subsequent to its creation and by virtue of that provision in the Executive order authorizing the Secretary to locate such other Indians thereon as he saw fit."

"The bill reported by the Senate committee became law. During the Fifty-seventh Congress an act was passed relieving the settlers from paying the \$1.50 per acre for the land.

"The State of Washington is developing very rapidly. Its population in 1880 was about 75,000; in 1890 359,000, and in 1900 over 500,000. According to a careful estimate made by the State bureau of statistics the population of the State now is over 750,000.

"The south half of this reservation is the principal body of land in the State not now settled upon and which is suitable for homesteading. In addition to the large area of agricultural, grazing, and timber lands lying in the north and south halves of this reservation, mineral discoveries of great richness, extent, and variety have been made, and a vast mineral region lies to the immediate westward of this reservation, which only can be reached for transportation purposes by the construction of railroads across it. Such construction, however, can not be afforded unless the traffic resources along the routes across the reservation can be developed. This can take place only by opening the lands to white settlement and ownership. To keep these lands closed to settlement is to retard the growth and development of the State. The number of Indians on the south half is estimated at about 1,376.

"Your committee does not recognize nor deny the title of the Indians to this land. Prior to the establishment of the reservation they were roving about over many thousand square miles of territory in the Northwest without any fixed abode. Whatever right or title they had must have been a very shadowy one, if any at all, and whatever right they had to the reservation after it was formed was common to all. Under this bill each man, woman, and child will be given the exclusive right and title to 80 acres of land. This is more than enough to support them in abundance. In addition to this, however, it is provided in sections 3 and 4 that for a certain period settlers upon the lands allotted shall, in addition to complying with the homestead laws, pay certain amounts per acre for the lands homesteaded, and this money is to be set apart in the Treasury to be expended by the Secretary of the Interior for the use and benefit of all the Indians of the original reservation.

"SEC. 3. That each entryman, in addition to complying with the requirements of the homestead laws, shall pay to the United States for the land entered at the rate of \$1.25 per acre for land entered within six months after the land is opened for settlement; \$1 per acre if entered thereafter and within one year after the land is opened to entry; 75 cents per acre if entered after one year and within two years after the land is opened to entry, and 50 cents per acre if entered after two years from the time when the land is opened for entry; one-fifth of such sums to be paid when the original entry is made and one-fifth thereof each year thereafter until the full amount is paid: *Provided*, That in case any entryman fails to make such payments, or any of them, within the time stated, all rights in and to the lands covered by his or her entry shall be forfeited and held for cancellation: *And provided*, That nothing in this act shall prevent homestead settlers from commuting their entry under section 2301, Revised Statutes, by paying for the land entered the price fixed upon, receiving credits for payments previously made. In addition to the price to be paid for the land, the entryman shall pay the same fees and commissions at the time of commutation of final entry as now provided by law where the price of the land is \$1.25 per acre: *And provided further*, That all lands herein ceded and opened to settlement under this act, remaining undisposed of at the expiration of ten years from the date of the President's proclamation opening the said land to entry shall be disposed of under the general mining and homestead laws of the United States in force at the expiration of the said ten-year period until otherwise provided by Congress, and without any additional payment therefor.

"SEC. 4. That the proceeds received from the sale of said lands in conformity with this act shall be set apart in the Treasury of the United States, subject to expenditure by the Secretary of the Interior

from time to time, as he shall deem best, in the building of schoolhouses and the maintenance of schools for all the Indians in the territory originally embraced in the Colville Indian Reservation, and in such other ways as he may deem best for the education, civilization, and support of all the said Indians."

"This, doubtless, will furnish an ample fund for the building and maintenance of schoolhouses, the purchase of farming utensils, supplies, and other things necessary for the support and civilization of these Indians. Considering the character of these lands, the committee considers that the Indians will receive full and just compensation for whatever right or claim they may have to these lands and the lands embraced in the north half heretofore opened up.

"There will really be no expense to the Government in the opening of this reservation, because it is provided that the amount for survey and allotment shall be repaid to the Government out of the fund arising from the disposition of the lands.

"Amend as follows: After 'appropriated,' in line 2, page 7, insert the following: 'which sum shall be repaid into the Treasury of the United States out of the fund arising from the disposition of said lands.'"

"And as so amended we recommend that the bill be passed."

The amendment thus incorporated in the House bill by the above report is part of the bill (S. 5187) as introduced in the Senate by Mr. Foster and is included in lines 3, 4, and 5, page 7, of his bill, which is hereby approved and recommended for passage.

Mr. PLATT of Connecticut. Mr. President, the bill stands as open to objection at this time, I believe?

The PRESIDING OFFICER. The Chair so understands.

Mr. PLATT of Connecticut. I do not know that I wish to object to the consideration of the bill, but I think the Senate ought to know just what the bill is before it acts upon it. At some time I should like to make a statement with regard to the bill. I will make it now, before the bill has been taken up, or at any other time. I suppose an objection can be entered at any time while the bill is under consideration?

The PRESIDING OFFICER. The Chair so understands, under the rule.

Mr. PLATT of Connecticut. The bill may be taken up, and I will then make a statement about it as I understand it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT of Connecticut. Mr. President, I did not assent to this report when I was a member of the Committee on Indian Affairs and stated in the committee why I did not, and I should like to state in the Senate why I do not.

The Colville Indian Reservation, in the State of Washington, contains about 3,000,000 acres. It was, as the bill states, an Executive order reservation. As to the north half, it has been opened for settlement under these circumstances and conditions: A treaty was negotiated with the Colville Indians for the opening of the north half of their reservation upon the payment of \$1,500,000 to the Indians in certain specified payments. This negotiation was in consequence of a provision in the Indian appropriation act of August 19, 1890.

A commission was appointed to negotiate with the Indians. It negotiated an agreement, as I have said, for the north half of the reservation, by which the United States was to pay the Indians \$1,500,000 in five installments of \$300,000 after allotting 80 acres in severalty to each Indian. They were also to erect some blacksmith shops, sawmills, gristmills, schools, and so forth.

When that agreement came to Congress, it was not ratified by Congress. I think the House of Representatives ratified the agreement and provided for payment. When, however, it came to the Senate the Senate did not ratify the agreement, but passed a bill authorizing the opening of the north half of the reservation without reference to the agreement. That bill became a law without the President's signature. It is to be found in the Revised Statutes, volume 27, page 62. That bill, ignoring the agreement which had been made with the Indians, proceeded to open the reservation upon these terms: Each Indian was to have 80 acres of land, then the land was to be opened to homestead entry, and the person taking it under homestead entry—

Mr. HANSBROUGH. That is the surplus land.

Mr. PLATT of Connecticut. The surplus land. The persons taking the lands were to pay a dollar and a half an acre for them. That money so received from the homestead entries and the payment of a dollar and a half an acre was to be put in the Treasury of the United States, and until disposed of was to be used for the benefit of the Indians. It was a very peculiar provision.

Section 2 provides:

That the net proceeds arising from the sale and disposition of the lands to be so opened to entry and settlement shall be set apart in the Treasury of the United States for the time being, but subject to such future appropriation for public use as Congress may make, and that until so otherwise appropriated may be subject to expenditure by the Secretary of the Interior from time to time, in such amounts as he shall deem best, in the building of schoolhouses, the maintenance of schools for such Indians, for the payment of such part of the local

taxation as may be properly applied to the lands allotted to such Indians, as he shall think fit, so long as such allotted lands shall be held in trust and exempt from taxation, and in such other ways as he may deem proper for the promotion of education, civilization, and self-support among said Indians.

While this section provides that that money might be taken out of the Treasury and used for other purposes, it is very manifest it never would have been, but that it would have remained in the Treasury for the benefit of these Indians.

Then came the free-homes law, which applied to these lands. Consequently the settlers upon these lands have not been required to pay anything to the Government for the lands, and the Indians derived nothing under this bill. It stands, then, that the lands on the north half of this reservation have been taken from the Indians, giving them only 80 acres for whatever rights or equities they may have had in the lands which they occupied under the Executive order. They get nothing.

Now, this bill proposes to deal with the south half of the reservation. It provides that, after giving the Indians 80 acres, the rest of the land shall be opened to settlement by proclamation. Under the new arrangement and for a certain time it may be taken up at a dollar and a quarter an acre, I believe; then after that at 75 cents an acre, and finally disposed of, I think, at 50 cents an acre, if it is not taken by homestead settlement.

So it is manifest that under this opening of the south half something will be derived for the benefit of the Indians; but the Indians on the north half, or the Indians on the Colville Reservation, will, by reason of the operation of the free-homes law, have received nothing for the lands which are taken on the north half of the reservation. This bill changes the disposition of the money received from those lands in that it is put into the Treasury for the use of the Indians without any power to divert it from their use, as there was in the original law.

My objection to this arrangement is this: I think it is perhaps a fair enough disposition of the lands, but it raises the question—I do not know that it is really any longer a question—whether the Government can take away the lands which Indians have been settled upon by Executive order without any agreement with the Indians, and if it can, whether in the statute taking them away it has made reasonable provision for the compensation of the Indians.

But the point about this matter is, that if we do this and the Indians derive some benefit from it, we are certain to have a claim made by those Indians for a million and a half dollars for the opening of the north half of the reservation, where there was a treaty in the first place, or an agreement, that they should have a million and a half dollars, and then the action of Congress that the lands should be subject to homestead at a dollar and a half an acre, which was expected to give them a million and a half dollars, and where the lands have been taken without their receiving a cent. If we pass this bill giving them something for these lands, giving them the proceeds which come from the opening to settlement, under the terms of the bill they are sure to come here in the future saying that they are entitled to a million and a half dollars for the land in the north half, and they will get that money. No one who has been familiar with these Indian claims will doubt for a moment that Congress, as a result of this whole transaction with regard to the Colville Indian Reservation, will be called upon hereafter to pay out a million and a half dollars from the Treasury.

Mr. HANSBROUGH. They have a right to do that, anyway.

Mr. TELLER. I want to know of the Senator from Connecticut if, upon the statement he makes, he does not think that those Indians will be entitled to that as a matter of right; and what right has the Government to take it away from them if it belongs to them?

Mr. PLATT of Connecticut. I do not know that I want to commit the Government by making that answer. Of course the first taking of a portion of this reservation was before the Lone Wolf case. The decision in Lone Wolf case, I think, goes to the extent that the United States would have the right to take these lands from the Indians without making them any compensation, or making them such compensation as the United States in taking the lands might feel they were entitled to. I merely make this statement, as I want the Senate, if it passes this bill, to know the facts and to be sure that it is to be followed by the payment of a million and a half dollars out of the Treasury to those Indians.

Mr. DUBOIS. Mr. President, I should like to ask the Senator a question. I am a little confused in my own mind regarding this matter. The Senator, as I understand, thinks that if we pass this bill it will be followed by the payment of a million and a half dollars for the north part of the Colville Reservation. As a matter of fact, have not bills been presented here for the payment of money to the Indians of the north part of the reser-

vation? I think I have seen such bills, though I am not quite sure whether they came to our committee or not.

Mr. PLATT of Connecticut. I do not at this moment remember, but I have an impression that there have been such bills presented.

Mr. DUBOIS. As I have stated, I think such bills have been presented.

Mr. PLATT of Connecticut. I can not speak with positiveness on that subject.

Mr. BURROWS. Mr. President, I should like to make some inquiry about this matter, and I therefore trust that the bill will go over without losing its place on the Calendar. For the present I object to its further consideration.

The PRESIDING OFFICER. Objection being made, the bill will go over, under Rule VIII, without prejudice.

TOMBIGBEE RIVER BRIDGE.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill (H. R. 15606) to authorize the county of Itawamba, in the State of Mississippi, to construct a bridge across the Tombigbee River near the town of Fulton, in the said county and State.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

S. 6368. An act providing for the interment in the District of Columbia of the remains of Rose Dillon Seager; and

S. R. 79. A joint resolution granting the temporary occupancy of a part of the Government reservation in Washington, D. C., for the American Railway Appliance Exhibition.

PACIFIC PEARL MULLETT.

Mr. WARREN. Mr. President—

Mr. BACON. If the Senator will yield to me, I wish to ask consent for the consideration of a bill which has come with a favorable report from the committee of which he is chairman.

Mr. WARREN. If the bill will not lead to discussion, I yield.

Mr. BACON. I think it will not. I ask unanimous consent for the present consideration of the bill (S. 965) for the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett, \$2,062.06 in full for the balance due her husband on account of compensation and his actual expenses incurred as commissioner appointed from civil life on the navy-yard commission, under the provisions of the act of August 5, 1882, making appropriations for the naval service, the balance being based upon vouchers heretofore issued and approved by the Secretary of the Navy and now in the possession of the widow of Alfred B. Mullett.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OMNIBUS CLAIMS BILL.

Mr. WARREN. I ask unanimous consent that the Senate resume consideration of the bill (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act."

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Claims as amended.

Mr. WARREN. I believe all the amendments to the amendment heretofore proposed by the committee have been adopted. I have one here which was inadvertently left out.

Mr. BERRY. There were some additional amendments not presented when the bill was reported. Have they been included in the bill?

Mr. WARREN. They were all passed upon separately upon the reading of the bill on Friday.

Mr. BERRY. The committee had a meeting after the bill had been reported, and proposed certain other amendments?

Mr. WARREN. And reported further amendments.

Mr. BERRY. And all of them have been agreed to?

Mr. WARREN. They were adopted. As I understand the parliamentary situation, the bill is still in the Senate as in Committee of the Whole?

The PRESIDING OFFICER. That is the correct status of the bill.

Mr. WARREN. The consideration closed the other night with the offering of various amendments by the committee. I now have a committee amendment which I will send to the desk. It was overlooked the other evening.

The PRESIDING OFFICER. The amendment proposed by the Senator from Wyoming, on behalf of the committee, will be stated.

The SECRETARY. On page 201, after line 17, it is proposed to insert:

To Malinda S. Gray, widow and legal representative of Frederick P. Gray, deceased, the sum of \$356.10, for mail services performed as contractor on route 10171, from Clarksburg to Paris, Tenn., from January 1 to March 31, 1861.

The amendment to the amendment was agreed to.

Mr. WARREN. The committee has one more amendment to offer, being the bill last passed here in the Senate this morning.

The PRESIDING OFFICER. The Senator from Wyoming, on behalf of the committee, offers an amendment, which will be stated.

The SECRETARY. On page 188, after line 21, it is proposed to insert the following:

To Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett, the sum of \$2,062.06 in full for the balance due her husband, the said Mullett, on account of compensation and his actual expenses incurred as commissioner appointed from civil life on the navy-yard commission, under the provisions of the act of August 5, 1882, making appropriations for the naval service, said balance being based upon vouchers heretofore issued and approved by the Secretary of the Navy and now in the possession of the widow of said Mullett.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

Mr. PLATT of Connecticut. I should like to inquire why that claim has not been paid, if vouchers have been issued therefor?

Mr. WARREN. A part of the original claim only has been paid, I will say to the Senator. While a voucher was issued, there were no available funds from which to pay it. The bill as first passed in the Senate covered a little more than double the present sum. But it passed in the House for a less sum. The item was passed on an appropriation bill. Finally, in conference, a smaller amount was designated as in full of the claim. The beneficiary never accepted it as final, and never took the entire amount appropriated, but, it seems, drew upon it to the extent of something like twenty-five hundred dollars. The remaining portion is still standing there appropriated for, and this amendment practically reappropriates that and adds the balance of the claim, making the sum the same as the Senate has permitted on previous occasions.

Mr. PLATT of Connecticut. Does this amendment not say that vouchers are already in existence for what we are going now to give?

Mr. WARREN. Not as paid vouchers or receipts, Mr. President.

Mr. PLATT of Connecticut. I probably did not catch the reading aright. Will the Secretary read it again?

Mr. WARREN. I have not the report before me.

Mr. BACON. I have the report.

Mr. PLATT of Connecticut. Let the Secretary read again what it says about the vouchers.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Said balance being based upon vouchers heretofore issued and approved by the Secretary of the Navy and now in the possession of the widow of said Mullett.

Mr. PLATT of Connecticut. The question I ask is, Why, if there are vouchers which have been issued by the Secretary for this claim, which are now in the possession of the widow, it has not been paid, and why we need to do anything about it?

Mr. BACON. I hold in my hand the report of the House committee. This claim has been reported favorably by the committee in each House, and both concur in the statement—the House report being adopted by the Senate committee—that at the time there were no funds available for the payment of the full amount due—that is stated in this report—and that the amount now appropriated is the exact amount which the Secretary of the Navy contracted to pay.

Mr. WARREN. That is right. This added to what has already been paid—

Mr. BACON. This is in pursuance of a contract made at the rate of \$4,000 per annum by the Secretary of the Navy with Colonel Mullett, and the only reason why the full amount was not paid by the Navy Department is that there were no funds

available under the appropriation made for the Secretary to pay the amount due. That fact is found by the committee of the House of Representatives and the committee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. BACON. I desire to offer an amendment, but I have not the form here at the moment. I gave it to the Senator from Wyoming, as chairman of the committee, and I think he has sent to his room for it, but it has not yet been brought here. It is an amendment to pay a certain amount found by the Court of Claims in favor of St. Philip's Episcopal Church, of Atlanta, Ga.

Mr. CLAY. Four thousand nine hundred and twenty-five dollars.

Mr. BACON. I desire to ask the Senator from Wyoming, the chairman of the committee, if he will not permit that amendment to go on the bill?

Mr. WARREN. The amendment proposed to be offered by the Senator from Georgia, I understand, is based upon a finding of fact by the Court of Claims in favor of a church. I will ask if the Senator has the finding there?

Mr. BACON. I have it here.

Mr. WARREN. Let me see it.

Mr. BACON. Please hand this to the Senator. That is the report.

Mr. WARREN. I have the papers here now.

I wish to ask the Senator from Georgia not to press the amendment for this reason: The case is one of a class that has not been included in the present bill. I do not say that they should not be considered and paid; I do not say that at some time they may not be considered and paid; but they differ from the claims that have been inserted in the bill.

I will say, furthermore, that this case does not stand alone. There are various other churches similarly situated, and a very great many bills of individuals are also pending, amounting, in the findings of the last three or four years, to perhaps \$300,000.

Turning to the finding of the court, article 4 reads as follows:

It is not shown that any claim for the property herein claimed for was ever presented to any Department of the Government until its presentation to Congress and its references to this court, as set forth in the statement herein.

Now, the committee has believed that the pending bill was as large as we ought at this time to consider, and the committee has believed that since the Senate has extended to it some measure of confidence in authorizing the grouping together of bills in an omnibus bill, all bills as to which any questions might arise, as the one here, should be eliminated from the omnibus bill; that it should be a straight collection of court findings free from charges of either disloyalty or laches.

That is all I have to present as a reason why this claim should not be included. It seems to me it would make an invidious distinction if this were permitted to go into the bill, unless indeed it is the pleasure of the Senate to open it up to perhaps a hundred and fifty more claims, involving perhaps three or four hundred thousand dollars, which have various flaws in the findings, if I may term them such, similar to the one I have just read.

Mr. CLAY. I will ask the Senator whether it is not true that there have been bills pending both in the House and the Senate ten years for the payment of this claim?

Mr. WARREN. I would not be able to say yes or no—

Mr. CLAY. I say it is true.

Mr. WARREN. Because I think the Senator will hardly expect me to remember the several thousand claims annually introduced and referred to the committee.

Mr. CLAY. Then, as I understand the Senator, the only reason why this claim was not inserted in the pending bill is that claimants have been negligent in presenting it to the Department or to Congress. The finding of the court in every respect complies with the Tucker Act. It says the claim is just; that the claimant was loyal, and that the money ought to be paid. There is nothing said against it except the fact that this is the first time it has been presented to Congress. That is my understanding of the finding of the Court of Claims. The bill has been pending in Congress many years.

Mr. WARREN. Perhaps the Senator from Georgia states it rather broadly. The court finds that the church was loyal, but it finds that the claim can not be allowed for the amount presented. However, it finds that there is a portion of the claim justly due. But it finds that it was not presented early enough to clear it of the charge of laches. For instance, this claim was not presented to the Quartermaster's Department or the Southern Claims Commission.

Mr. CLAY. Let me correct the Senator, with his permission. They find one item of certain damages amounting to \$800. The total damages amount to \$4,925.

Mr. WARREN. Yes, Mr. President; but that opens up another branch of the subject. It has not been the policy and practice of the Senate or the House or of Congress, if I am correctly informed, to allow bills of damage as such, while they do allow for material taken and used. For instance, if a house becomes damaged in war or is torn down, it is not allowed for strictly as damage. The Quartermaster's Department would not allow for it. The Southern Claims Commission would not allow for it. Congress would not allow for it. But if material from a destroyed structure—lumber and brick, etc.—is taken and used for the benefit of the Army or the forces of the United States, the owners are allowed pay for it.

But, Mr. President, I will not now go into the matter of the amount, preferring rather to put the reasons exactly as they exist with the committee—i. e., that the claim was excluded at this time as one of a class, all of which were excluded. I appeal to the Senator from Georgia to withdraw the amendment at this time and permit the claim to be considered with a great many others of the same kind.

I wish to say to the Senator that the Committee on Claims has presented to Congress, and Congress has kindly consented to send down very nearly all the claims of churches that have been presented, and they are now before the Court of Claims. The court has but just commenced their consideration. This bill contains the findings of the court in a few cases. The committee files show the reports of quite a number more that are situated exactly as this one is situated, and hence not included in the pending measure. But the larger part of the church claims are yet unconsidered before the court.

So this claim, if it does not go into the pending bill, is in nowise prejudiced or put out of court, if I may use that expression. It is simply not included at the present time because we are considering another class of claims.

Mr. CLAY. The merits of the claim will not be affected in any way by the passage of this measure, and it is simply considered in a class that is rejected on the fourth ground set forth in the report of the findings of the Court of Claims—on the ground that there was negligence?

Mr. WARREN. It is even better than that. These claims are not rejected. They are simply not included in the present bill. It will not in any manner, in my judgment, inure to the injury of the bill.

Mr. BACON. I wish to ask the Senator one question in order that it may be made clear. I understand, then, there is no other claim standing in this exact class which is included in the bill?

Mr. WARREN. I know of no other one, and if my attention should be drawn to one of that kind, I would ask to have it stricken out.

Mr. BACON. There are a large number of others in the same class which are likewise excluded from the bill on the same ground?

Mr. WARREN. Exactly so, and without any prejudice to such claims.

Mr. BERRY. Just one moment, Mr. President. I have two claims which I have been very anxious to get into the bill. One is in favor of Joel G. Higgins, administrator of Richard Higgins, deceased, and the other is in behalf of Annie F. Polk, Susan Keesee, and others. They are in this same class, where the court find that there was no excuse for the delay. If claims of this class are to be included in the bill, I will offer an amendment embracing these two claims, which I am very anxious to have paid, and I hope the Senator from Wyoming will agree to let them go in.

The Senator from Wyoming says the committee has excluded all claims of that class, and that none of them are in the bill. I very much regret that he did not put all of them in the bill, because it seems to me they ought to be paid. The findings in these two cases have been here for three or four years. The court find that the parties are entitled to the money, but they say that no excuse has been shown for the delay in the prosecution of the claims. Of course, if that entire class of claims is ruled out, I am helpless, although I would be very glad indeed to see them all put in the bill.

Mr. BACON. As I understand the Senator from Wyoming, it simply defers their consideration until a later day?

Mr. BERRY. Certainly.

Mr. WARREN. Certainly.

Mr. BATE. Mr. President, I understand from the Senator from Wyoming that there are a good many cases on a footing with that presented by the Senator from Georgia.

Mr. WARREN. Just so.

Mr. BATE. Our State has several, and I have approached the Senator from Wyoming in regard to some five or six, three of which I am very urgent about. But, as I understand, they have been laid aside on the same ground that has been stated here with respect to the claim presented by the Senator from Georgia. I took it for granted that it was to be uniform. I did not think there would be any exception made to it, else I should have presented the claims in which I am interested, and I shall do so now if there is to be any exception. But, as I understand, it is the uniform practice with respect to this bill to exclude those cases. However, I understand the Senator is going right to work on the other claims, and will try to get them through when this bill is disposed of.

Mr. WARREN. We will try to arrange it in such way that the Senate can consider what it will do with them.

Mr. BATE. I understand, however, that they are not put off purely for delay, but that in the church cases particularly which have been spoken of there has been some arrangement made by which they will be entertained by the committee.

Mr. WARREN. They certainly will not, by the committee, be kept away from the consideration of the Senate. The committee will cooperate with Senators to bring all the facts before the Senate for such disposition as it may see fit to make of this class of claims.

Mr. BATE. I simply do not want to see any invidious distinctions made. I am willing to submit to that rule, if it is thought best, but I do not want any invidious distinction made, and I desire to come in with the claims in which I am interested if there is any chance to secure their adoption.

Mr. WARREN. I want to say, and Senators I believe will appreciate my situation, that the refusals on my part and on the part of other members of the committee to include this class of claims have been very numerous. Since sitting here this morning waiting for the recognition of the Chair, I have probably had twenty or more cards sent me from those outside who represent claims of this nature, and should I not now resist all amendments of this kind, I should feel that I had wronged perhaps a hundred—yes, and probably more than that number—of those who have asked the insertion of similar claims in the pending bill.

I hope such amendments will not be pressed.

Mr. TELLER. Mr. President, I have on my table several of these claims (I am told by the Senator from Arkansas that such claims involve a very large sum) where the court has found the fact of the loyalty of the claimants and where an appropriation by the Government would be proper, but have left to Congress the question whether there were such laches as under the act of 1878 excluded them. I have two or three cases in which it seems to me there can not be any question that the laches was excusable. I know, having been on the Committee on Claims a long time, the difficulty the chairman has with these claims.

What is the amount involved in the bill, I will ask the Senator from Wyoming?

Mr. WARREN. Including the amendments already adopted, the number of claimants will reach above 1,700, and the amount of the bill will reach possibly twenty-eight hundred thousand dollars in direct appropriations, and there are in addition some not large matters to be sent to the Court of Claims for adjudication.

I will say to the Senator from Colorado that personally I would be glad to see a bill twice as large go through, in order to more nearly clear the files of deserving claims, but I think the Senator will agree with me that it is inexpedient to enlarge the present measure and also inexpedient to try out at this time the cases of complete or partial laches.

Mr. TELLER. I did not intend to embarrass the Senator by offering any amendments. I only wanted to excuse myself to a constituent or two of mine who will wonder why I did not succeed in getting their claims on after the court had said they were entitled to the amount. But I can see very readily that if we went to work at this short session of Congress and put on some claims which would raise a question that might be debated elsewhere very extensively we might jeopardize the bill.

I have felt for many years that these claims unpaid and unsettled have been rather disgraceful to this nation. We have gone about their examination with all the care possible; committee after committee has taken testimony; and we have reported them here to the Senate again and again, and they are tied up until the people who are entitled to the money die. Frequently the heirs die before the money comes, and then it goes to collateral heirs, if it is ever paid at all. I would be the last person to throw any obstacle in the way of the speedy passage of this bill, which I believe justice—I will say more, decency—on the part of this Government demands should be passed.

Mr. WARREN. Mr. President, just a word. I will say for the encouragement of those who are interested in claims that are not included here that this bill includes more of the Bowman and Tucker Act findings than any bill, with one exception, that has ever passed—something like fourteen hundred thousand dollars, nearly five times as much as the House expressed a willingness to pass at the time it considered this bill.

Mr. SIMMONS. Mr. President, I have in my hand the findings of the Court of Claims in reference to a case which I imagine falls within the category mentioned by the Senator a few moments ago.

It is a claim in favor of O. H. Perry, administrator of George W. Perry, deceased. As I understand, the court has found and adjudged that the decedent, Mr. Perry, was a loyal citizen of the United States, and that the Government is indebted to him in the sum of \$4,350 for supplies taken from him for the use of the Army during the war. There is no specific finding to the effect that the administrator was guilty of laches, but I suppose there is an inferential finding to that effect; that is, it is said that there is no evidence showing that the claim was presented in time under the act of 1871.

I should like to ask the Senator if that bill comes within the category of claims which have been excluded under the rule adopted by the committee?

Mr. WARREN. The bill clearly does come within the class that is not taken up, and does not come within the class that has been inserted in this bill.

Mr. SIMMONS. Now, am I to understand, if the Senator will permit me, that this rule established by the committee is in no sense to be taken as a finding adverse to that class of claims?

Mr. WARREN. Simply that we do not consider them at this time.

Mr. SIMMONS. If the Senator will permit me one other question, is it the purpose of the committee to present a supplemental bill during this session of Congress including claims of that character?

Mr. WARREN. The committee has not yet taken up that subject. It has not considered it. I think the Senator from North Carolina will admit that the committee has been exceedingly busy so far this session with the make-up of the pending bill, and the subject of another bill has not yet been considered.

Mr. SIMMONS. If the Senator will permit me, I should like to make another inquiry. In case the finding of the court is to the effect that there has been laches or that there is no evidence rebutting laches, will it be necessary for the case to go back to the Court of Claims for the purpose of taking evidence on that question, or will the committee act upon it on the evidence of loyalty and as to the validity of the claim against the Government?

Mr. WARREN. My own judgment is it will be unnecessary to send it back, because, unless there is new evidence, the court is supposed to have weighed the evidence and to have decided as it would again decide.

I will state to the Senator that the committee does not consider it inferential laches when the court declares that no evidence is presented to show why the claim was never presented before.

This is a clear case, because the findings of fact state:

The claim was not presented to the Commissioners of Claims under the act of March 3, 1871, and is consequently barred under the provisions of the act of June 15, 1878. No evidence has been offered by the claimant under the act of March 3, 1887, "bearing upon the question whether there has been delay or laches in presenting such claim or applying for such grant, gift, or bounty," etc.

Mr. SIMMONS. There is no finding that there was actual laches?

Mr. WARREN. There never has been a finding of that kind in one of these cases that I know of. The finding has always been in the way I have stated.

Mr. SIMMONS. Will the Senator oblige me and the Senate by stating approximately the amount of claims excluded on account of laches?

Mr. WARREN. Something approaching \$300,000 of claims that are in the same position as the claim the Senator now advocates; that is, claims amounting to \$300,000 or more have accumulated during the last three or four years.

Mr. BATE. With the permission of the Senator, I beg to say, in connection with what I said a while ago about those cases, that every one of them has been in the Court of Claims and has been passed upon, the question of loyalty established, the amount agreed upon by the court, and payment recommended.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Claims, as amended.

The amendment as amended was agreed to, as follows:

Page 1, strike out all after line 9 down to and including line 14, page 30, and insert:

"ALABAMA.

- "To Thomas M. Hobbs, of Limestone County, \$7,662.
- "To B. W. Hewitt, administrator of Dr. V. Burrow, deceased, of Lauderdale County, \$667.
- "To Jesse Keys, of Madison County, \$623.
- "To H. B. Lansden, administrator of Martha W. Lansden, deceased, of Marshall County, \$448.
- "To John J. Turrentine, administrator of the estate of Andrew McWilliams, deceased, of Limestone County, \$860.
- "To William A. Walker, of Colbert County, \$330.
- "To John S. Watkins, of Lauderdale County, \$1,534.
- "To H. S. Watters, administrator of the estate of Claiborn C. Watters, deceased, of Cherokee County, \$440.
- "To C. H. Lavender, administrator of Elizabeth Nell, deceased, of Dallas County, \$1,415.
- "To Douglass Taylor, administrator of Cyrus Jones, deceased, of Madison County, \$605.
- "To John H. Vaught, administrator of John Sullivan, deceased, of Jackson County, \$1,357.
- "To Floyd H. Gilliam, administrator of Josiah Springer, deceased, of Madison County, \$1,085.
- "To Mrs. Mollie Smith, administratrix of John Hollingsworth, jr., deceased, of Morgan and Limestone counties, \$556.
- "To Russell M. Kilburn, of Lauderdale County, \$1,453.
- "To Douglass Taylor, administrator of Jessie Jefferson, deceased, of Madison County, \$267.
- "To John A. Chandler, administrator of Garrett S. Chandler, deceased, of Lauderdale County, \$621.
- "To Douglass Taylor, administrator of Elizabeth Horton, deceased, of Madison County, \$242.
- "To Douglass Taylor, administrator of David Vincent, deceased, of Madison County, \$518.
- "To Douglass Taylor, administrator of Benjamin Carter, deceased, of Madison County, \$445.
- "To Douglass Taylor, administrator of John Haynes, deceased, of Madison County, \$475.
- "To Douglass Taylor, administrator of Edward Moore, deceased, of Madison County, \$266.
- "To Amelia Simpson, administratrix of Randolph Simpson, deceased, of Tuscaloosa County, \$465.
- "To Douglass Taylor, administrator of Stephen Harris, deceased, of Madison County, \$350.
- "To Priscilla A. Nicolson, widow of John O. Nicolson, deceased, \$110.67.
- "To John A. Johnson, administrator of Maria Johnson and Sarah E. Ware, deceased, of Limestone County, \$2,757.
- "To William Jones, of Madison County, \$277.
- "To Douglass Taylor, administrator of the estates of Senia McClelland and Hunter McClelland, deceased, of Madison County, \$670.
- "To William P. Newman, administrator of the estate of William Powers, deceased, of Madison County, \$1,530.

"ALASKA.

- "To Frank Guertin, \$15.89.
- "To Joseph F. Travers, guardian of Michael Travers, of the Island of Japonsky, \$1,250.

"ARKANSAS.

- "To B. Frank Perry, administrator of Ephraim E. Cooper, deceased, of Phillips County, \$6,452.
- "To Edward Valencourt Deuell, in his own right, and as administrator of Ethan A. Deuell, deceased, of Pulaski County, \$7,867.
- "To Mary C. Slosson, administratrix of John N. Slosson, deceased, of Sebastian County, \$4,638.
- "To J. Menkus, administrator of the estate of Sarah Marr, deceased, of Pulaski County, \$1,150.
- "To James M. Green, administrator of John L. Green, deceased, of Saline County, \$161.
- "To J. P. Newkirk, administrator of James H. Newkirk, deceased, of Saline County, \$1,178.
- "To Constant P. Wilson, administrator of Mary A. Wilson, deceased, of Sebastian County, \$2,010.
- "To Charles S. McClard, administrator of Arthur Mayberry, deceased, of Montgomery County, \$788.
- "To R. A. Dunlap, administrator of Elijah Y. Toney, deceased, of Ouachita County, \$2,170.
- "To Daniel W. Core, administrator of Hugh Core, deceased, of Pulaski County, \$1,183.
- "To Nathan H. Cloyes, of Hot Springs County, \$1,370.
- "To Sarah Ann Vaught, Allen Vaught, Jacob Vaught, and Mitchell Vaught, of Crawford County, \$1,020.
- "To Henry Cooper, administrator of Samuel Cooper, deceased, of Garland County, \$1,377.
- "To Lucy J. Eaton, executrix of the estate of Lucy A. Caldwell, deceased, of Jefferson County, \$4,250.
- "To E. E. Whitfield, brother of William E. Whitfield, deceased, \$160.54.
- "To Frank B. Toms and Sallie T. Elliott, sole heirs of Henry C. Toms, deceased, \$3,220.
- "To Mary F. Pollan, administratrix of the estate of William H. Pollan, deceased, of Crittenden County, \$808.
- "To Lewis Cass Smith, for himself and as administrator of the estates of Elisha G. Abbott and Zarelda E. Abbott, deceased, of Arkansas County, \$15,110.
- "To the trustees of the Cumberland Presbyterian Church, of Prairie Grove, Washington County, \$800.
- "To Robert Gordon, administrator of Jamison W. Rice, deceased, of Phillips County, \$5,705.

"CALIFORNIA.

- "To John Q. Adams, of San Francisco County, \$80.82.
- "To Jeremiah C. Burnett, of San Francisco County, \$169.31.
- "To Charles A. Clarke, of San Diego County, \$553.15.
- "To Henry G. Colby, of San Francisco County, \$589.58.
- "To Frank Courtis, of Alameda County, \$202.74.
- "To Henry Glass, of San Francisco County, \$97.53.
- "To James A. Hawke, of Solano County, \$41.13.
- "To Emma L. Ferrier, widow of William A. Ferrier, deceased, \$727.90.
- "To Louis Kempff, of San Francisco County, \$707.60.

"To Richard A. Urquhart, of Santa Clara County, \$116.98.
 "To Moses A. Lane, of San Francisco County, \$1,171.09.
 "To Joseph Wilson, of San Francisco County, \$776.17.
 "To Thomas S. Phelps, of Alameda County, \$597.54.
 "To Robert A. Williams, of Monterey County, \$686.90.
 "To Charles A. Davis, son and next of kin of George L. Davis, deceased, \$146.02.

"COLORADO.

"To William M. Nickerson, of Arapahoe County, \$90.41.
 "To Edward M. Stedman, of Gilpin County, \$124.99.
 "To Erastus S. Joslyn, of Colorado Springs, El Paso County, \$1,500.

"CONNECTICUT.

"To Caroline Swan, Mary E. Pritchard, Seymour Swan, and Carrie R. Moody, sole heirs of Travers Swan, deceased, of Bridgeport, Fairfield County, \$1,606.40.
 "To Francis W. Dickens, \$69.04.
 "To Charles E. Hawkins, of Middlesex County, \$46.46.
 "To John Lowe, of Fairfield County, \$107.39.
 "To Alexander Mack, of New London County, \$184.93.
 "To Oscar F. Stanton, of New London County, \$806.64.
 "To Lawrence M. Bowers, executor of the estate of Edward C. Bowers, deceased, \$843.31.
 "To Henry M. Cleveland, administrator of the estate of Louis Kingsley, deceased, \$40.02.
 "To Annie C. Collier, widow of Thomas S. Collier, deceased, \$196.72.
 "To Henry T. Skelding, of New London County, \$369.32.
 "To Walter K. Scofield, of Fairfield County, \$590.96.
 "To Grace T. Arms, executrix of Frank H. Arms, deceased, \$1,256.51.
 "To A. S. Oberly, \$198.74.

"DELAWARE.

"To William R. and Paul R. Knight, sons of James S. Knight, deceased, \$1,030.52.
 "To Jane Robinett, widow of David Robinett, deceased, \$805.39.

"DISTRICT OF COLUMBIA.

"To Phillip M. Buckey, administrator of Phillip J. Buckey, deceased, \$2,246.
 "To Mary E. O. Dashiell, \$810.
 "To William A. Gordon, administrator of William D. C. Murdock, deceased, \$47,424.50.
 "To Anne C. Livingston, \$1,691.
 "To Mary S. Cheney, widow of William Cheney, deceased, \$608.77.
 "To Julia W. Dickenson, widow of Hallowell Dickenson, deceased, \$611.76.
 "To Florence A. R. Judd, executrix of the estate of Somerset Robinson, deceased, \$262.36.
 "To Antoinette Stewart, widow of Thomas Stewart, deceased, \$456.70.
 "To Vincendon L. Cottman, \$162.47.
 "To Walter C. Cowles, \$48.22.
 "To William H. Driggs, \$340.82.
 "To Arthur H. Fletcher, \$249.86.
 "To George Fouse, \$508.65.
 "To Samuel Gee, \$976.98.
 "To Edwin S. Houston, \$155.33.
 "To Eugene H. C. Leutze, \$41.22.
 "To Charles M. McCarteney, \$77.80.
 "To Frederick A. Miller, \$443.63.
 "To Francis S. Nash, \$205.48.
 "To Robert B. Rodney, \$135.88.
 "To George W. Sensner, \$312.33.
 "To John S. Sinclair, \$58.50.
 "To Edmund B. Underwood, \$99.45.
 "To Thomas P. Venable, \$56.50.
 "To Mary F. Choate, widow of Isaac T. Choate, deceased, \$91.20.
 "To Eliza B. Dorrance, widow of George W. Dorrance, deceased, \$997.46.
 "To Susanna E. Dunn, administratrix of the estate of George Dunn, deceased, \$278.90.
 "To Richard Wallach, son of Cuthbert P. Wallach, deceased, \$427.11.
 "To A. E. K. Benham, \$352.72.
 "To William T. Hord, \$78.36.
 "To Aaron K. Hughes, \$1,334.93.
 "To Francis M. Gunnell, \$33.84.
 "To Phillip J. Miller, son of Phillip J. Miller, deceased, \$42.10.
 "To Evaline V. Ferguson, widow of William J. Ferguson, \$138.63.
 "To William A. Cooper, \$50.41.
 "To Francis E. Mack, son of Eugene Mack, deceased, \$281.65.
 "To Joseph Smith, \$57.03.
 "To the Emory Methodist Episcopal Church South, of Brightwood, \$4,700.
 "To the Methodist Episcopal Church, Washington district, Baltimore conference, \$1,325.
 "To Mary J. Carpenter, administratrix of the estate of Benjamin D. Carpenter, deceased, \$1,253.

"FLORIDA.

"To William H. Holden, of Orange County, \$2,500.
 "To James H. Bull, of Monroe County, \$165.20.
 "To William H. Stewart, of Volusia County, \$2,058.92.
 "To Emma Thomas, widow of Robert G. Thomas, deceased, \$268.74.

"GEORGIA.

"To Ella Adamson, administratrix of the estate of Frederick Read, deceased, of Clayton County, \$1,695.
 "To Ellen Bray and Bridget Wetcher, heirs of the estate of James Jennings, deceased, of Gordon County, \$316.
 "To Pinkney Daniel and Josephine Berry, sole heirs of Mary Dees, deceased, of Chattooga County, \$150.
 "To David G. Orr, of Catoosa County, \$296.
 "To J. C. Sutton and F. S. Black, executors of the estate of Allen Black, deceased, of Catoosa County, \$395.
 "To Jacob A. Fite, of Gordon County, \$811.
 "To W. T. Dodd, administrator of William Shadrack, deceased, of Clayton County, \$1,774.
 "To J. D. Edge, administrator of Jane Edge, deceased, of Walker County, \$817.
 "To W. T. Dodd, administrator of Nancy Shadrack, deceased, of Clayton County, \$1,169.
 "To John T. Reeves, administrator of Elizabeth Johns, deceased, of Fulton County, \$885.
 "To Joe M. Moon, administrator of Joel P. Maxwell, deceased, of Bartow County, \$343.

"To J. B. Hutcheson, administrator of Furney Hutcheson, deceased, of Clayton County, \$1,227.
 "To Rosanna Griffin, of Floyd County, \$591.
 "To William N. McConnell, of Clayton County, \$3,381.
 "To S. A. Rawlins and B. H. Jackson, administrators of James Jackson, deceased, of Wilkinson County, \$1,325.
 "To Edward Crusselle, administrator and heir at law of the estate of Thomas G. W. Crusselle, deceased, of Atlanta, \$4,020.
 "To Sarah J. Bonner, administratrix of Thomas Bonner, sr., deceased, of Carroll County, \$1,920.
 "To Thomas J. Mansfield, administrator of Patrick Mansfield, deceased, of Bartow County, \$921.
 "To John H. Bray, of Gordon County, \$776.
 "To William R. Dubose, \$98.08.
 "To A. L. Millican, administrator of the estate of Andrew Millican, deceased, of Chattooga County, \$754.

"ILLINOIS.

"To Joseph E. Dyas, administrator of the estate of Jonathan Young, deceased, \$1,278.26.
 "To Nannie M. Kimberly, executrix of the estate of Lewis A. Kimberly, deceased, \$1,597.47.
 "To Herman Hansen, of Cook County, \$131.50.
 "To Charles B. T. Moore, of Macon County, \$74.52.
 "To Peter H. Smith, of Cook County, \$142.19.
 "To Martha W. Boswell, administratrix of the estate of James W. Carlin, deceased, \$253.15.
 "To John C. Irvine, \$12.05.
 "To Bertrand D. Ridgeway, executor of Lindsay Ridgeway, deceased, of Sangamon County, \$1,650.
 "To Helen M. Bassett, widow of F. S. Bassett, of Cook County, \$85.48.
 "To Charles W. Adams, \$819.75.

"INDIANA.

"To Charles A. Schmitz, son of Charles F. Schmitz, deceased, \$573.15.
 "To Charles A. Schmitz, \$406.58.
 "To William Wilkins Carr, administrator of the estate of Overton Carr, deceased, \$300.87.
 "To Mary E. Pritchett, administratrix of James M. Pritchett, deceased, \$511.66.
 "To Mary Fitch, administratrix of Leroy Fitch, deceased, \$36.75.
 "To Nellie F. O'Kane, widow of James O'Kane, deceased, \$65.75.
 "To John S. Neal, of the city of Indianapolis, \$2,700.

"INDIAN TERRITORY.

"To Edmund McKenna, administrator of Jackson Foster, deceased, of Choctaw Nation, near Fort Smith, Ark., \$2,367.

"IOWA.

"To J. M. Bowyer, \$135.67.
 "To Sophia A. Wight, widow of Danforth P. Wight, deceased, \$85.48.

"KENTUCKY.

"To Frederick Demmien, of Kenton County, \$1,213.
 "To George W. Frith, administrator of Thomas I. Frith, deceased, of Rockcastle County, \$280.
 "To Samuel Berry, of Nicholas County, \$732.
 "To John J. Saunders, administrator of Henry S. Saunders, deceased, of Jefferson County, \$160.
 "To James E. Hall, of Clark County, \$548.
 "To Arthur B. Wilson, administrator of R. H. Wilson, deceased, of Jefferson County, \$375.
 "To James E. Gardner, \$667.12.
 "To John H. Rowland, of Breckinridge County, \$438.16.
 "To Frank C. Cosby, \$593.27.
 "To John H. Rowland, \$235.27.
 "To Sallie H. Grundy, executrix of the estate of Samuel R. Grundy, deceased, of Washington County, \$1,444.97.
 "To James Garnett, trustee of the Baptist Church of Columbia, Adair County, \$780.
 "To Thomas Adkins, administrator of David Adkins, deceased, of Whitley County, \$1,048.

"LOUISIANA.

"To J. J. Metoyer, administrator of the estate of F. Azenor Metoyer, deceased, of Natchitoches Parish, \$704.
 "To Matilda M. Faurex, administratrix of the estate of Daniel Faurex, deceased, of the city of New Orleans, \$22,640.
 "To Hannah N. Jones, widow of R. Clarendon Jones, deceased, \$1,761.39.
 "To Cornelius Donato, administrator of Auguste Donato, deceased, of St. Landry Parish, \$12,570.
 "To Thomas Peyroux, administrator of Edward Barrett, deceased, \$122.30.
 "To Samuel B. Patterson, of Orleans Parish, \$165.
 "To the Citizens' Bank of Louisiana, of the city of New Orleans, \$215,820.89.

"MAINE.

"To Joseph E. Bradford and others, heirs of Joseph C. Bradford, deceased, \$619.14.
 "To Mary S. Craven, widow of Charles H. Craven, deceased, \$745.21.
 "To Nannie S. Cushman, widow of Charles H. Cushman, deceased, \$400.
 "To Susan Fassett, widow of Thomas O. Fassett, deceased, \$436.90.
 "To Nathan H. Junkins, of York County, \$460.53.
 "To Charles E. Tallman, of Sagadahoc County, \$116.15.
 "To Annie E. Deering, widow of George A. Deering, deceased, \$738.90.
 "To Kate W. Ingraham, daughter of Samuel Larkin, deceased, \$78.20.
 "To George A. Norris, \$900.35.
 "To Kate R. Morgan, widow of William A. Morgan, deceased, \$533.24.
 "To George L. Hall, executor of Elbridge D. Hall, deceased, \$687.39.
 "To Percy Bryant, son of Nathaniel C. Bryant, deceased, \$193.60.
 "To Charles E. Tallman, \$561.09.

"MARYLAND.

"To Charles F. Elgin, administrator of the estate of William S. Elgin, deceased, of Washington County, \$1,090.
 "To Ezra Marker, surviving executor of James Marker, deceased, of Washington County, \$2,309.
 "To Samuel Avey and Elizabeth Avey, executors of the estate of Jacob Avey, deceased, of Washington County, \$318.
 "To Mahlon Hamilton, administrator de bonis non of John Hamilton, deceased, of the city of Baltimore, \$11,991.

"To Charles W. Hoffman, executor of William C. Hoffman, deceased, of Frederick County, \$2,845.
 "To Euromus H. Hoffman, administrator of the estate of Susan Hoffman, deceased, of Washington County, \$245.
 "To John C. Middlekauff, administrator of John J. Middlekauff, deceased, of Washington County, \$618.
 "To Andrew H. Reinhart, of Frederick County, \$434.
 "To Lewis W. Riddlemoser and Marion F. Riddlemoser, sole heirs of Ephraim Riddlemoser, deceased, of Frederick County, \$127.
 "To G. Finley Smith, administrator of the estate of David Smith, deceased, of Washington County, \$1,974.
 "To William S. Tildon, of Harford County, \$330.
 "To Kirby Wade and James Snyder, executors of the estate of William Wade, deceased, of Washington County, \$1,124.
 "To Julia Walsh, administratrix of the estate of Murtha Walsh, deceased, of Washington County, \$100.
 "To Oliver Peacher, administrator of John Peacher, deceased, of Washington County, \$530.
 "To Eugene L. Derr, administrator of the estate of John Derr, deceased, of Frederick County, \$1,119.
 "To Henry Young, of Montgomery County, \$1,990.
 "To Christian Smith, of Washington County, \$616.
 "To Jennie E. Haller, administratrix of Samuel M. Haller, deceased, of the city of Cumberland, \$425.
 "To John W. George, administrator of John Wineow, deceased, of Allegany County, \$412.
 "To R. G. Johnson, administrator of Washington Stone, deceased, of Frederick County, \$352.
 "To Josephus E. Harley, administrator de bonis non of Otho F. Harley, deceased, of Frederick County, \$654.
 "To Leonora Cline, executrix, and Hugh Jacob George Cline, executor, of the estate of the late Hugh H. Cline, deceased, \$376.44.
 "To Sarah J. Franklin, administratrix of the estate of John S. Franklin, deceased, \$124.93.
 "To Mary M. Semmes, widow of Alexander A. Semmes, \$219.18.
 "To Ellen A. De Valin, widow of Charles E. De Valin, deceased, \$346.02.
 "To Howard E. Ames, \$294.24.
 "To Charles H. Black, of Baltimore County, \$260.82.
 "To James Franklin, of Baltimore County, \$55.89.
 "To D. W. Mullan, of Anne Arundel County, \$622.47.
 "To Charles J. Murphy, of Anne Arundel County, \$2,172.65.
 "To Joseph B. Parker, \$141.92.
 "To William G. Smith, of Anne Arundel County, \$3,182.06.
 "To John W. Stewart, of Montgomery County, \$122.74.
 "To Yates Stirling, of Baltimore County, \$1,025.76.
 "To John A. McDonald, of Baltimore County, \$298.62.
 "To William G. G. Willson, of Talbot County, \$125.75.
 "To German H. Hunt, survivor of Robert Poole, deceased, of the city of Baltimore, \$40,321.03.
 "To Thomas Dixon, of Frederick County, \$500.
 "To the trustees of the Reformed Church of Sharpsburg, Washington County, \$806.
 "To William A. Windsor, \$91.50.
 "To Allan McSherry, administrator de bonis non cum testamento annexo of Augustus H. Kilty, deceased, \$437.75.
 "To Edward Kershner, \$682.77.
 "To Safe Deposit and Trust Company of Baltimore, executor of Edward Donaldson, deceased, \$2,145.04.
 "To Emma L. Barry, widow of James J. Barry, deceased, \$292.05.
 "To T. Bascom Watkins, \$206.05.
 "To Worth Goldsborough, \$1,129.13.
 "To Robert Arthur, administrator of George Arthur, deceased, \$50.96.
 "To Horace Resley, of Cumberland, Allegany County, \$443.
 "To the trustees of the Lutheran Church of Sharpsburg, Washington County, \$600.
 "To the legal representatives of Peter Targarona, of the city of Baltimore, \$20,000.
 "To the trustees of the Methodist Episcopal Church of Brunswick, Frederick County, \$585.
 "To Richard P. Blackstone, of St. Mary County, \$6,326.

"MASSACHUSETTS.

"To Seth M. Ackley, of Nantucket County, \$55.89.
 "To William A. Barry, of Suffolk County, \$142.19.
 "To William W. Beck, of Suffolk County, \$1,380.26.
 "To George E. Belknap, of Suffolk County, \$139.73.
 "To George A. Crawford, of Suffolk County, \$34.25.
 "To George T. Davis, of Franklin County, \$116.95.
 "To William T. Devlan, of Nantucket County, \$323.83.
 "To Nehemiah M. Dyer, of Middlesex County, \$751.78.
 "To Joseph G. Eaton, \$221.37.
 "To John G. Foster, of Suffolk County, \$32.55.
 "To Henry P. Grace, of Suffolk County, \$124.11.
 "To Martin E. Hall, of Middlesex County, \$167.95.
 "To George E. Hendee, of Suffolk County, \$754.41.
 "To Frank H. Holmes, of Middlesex County, \$70.69.
 "To Mortimer L. Johnson, \$1,794.73.
 "To William Jones, of Suffolk County, \$487.97.
 "To Phillips A. Lovering, \$109.31.
 "To Lewis M. Melcher, of Suffolk County, \$2,541.59.
 "To Charles O'Neil, \$874.15.
 "To Thomas Savage, of Suffolk County, \$696.20.
 "To Frank E. Sawyer, \$105.47.
 "To William H. Summers, of Suffolk County, \$471.48.
 "To John G. Tilden, of Suffolk County, \$173.42.
 "To John K. Winn, of Suffolk County, \$1,485.39.
 "To William C. Wise, of Berkshire County, \$306.85.
 "To Angeline Bibber, administratrix of the estate of Charles J. Bibber, deceased, \$2,825.59.
 "To Margaret Black, widow of John Black, deceased, \$958.67.
 "To Catherine F. King, daughter of Jeremiah Harding, deceased, \$626.92.
 "To Edward H. Macy, nephew of Henry G. Macy, deceased, \$449.34.
 "To Susie J. Poole, executrix of the estate of Francis H. Poole, deceased, \$702.07.
 "To Thomas Bennett, \$8.89.
 "To Catherine B. Burroughs, administratrix of the estate of Daniel W. Burroughs, deceased, \$904.08.
 "To Thomas M. Carter, administrator of the estate of Edward H. Miller, deceased, \$1,010.78.
 "To Isabel and Ellen Clary, sisters of Albert G. Clary, deceased, \$586.24.

"To Clara H. Daniels, widow of David Daniels, deceased, \$94.79.
 "To Addie R. Gallagher, widow of Lawrence B. Gallagher, deceased, \$228.10.
 "To Charles H. Hadley, executor of the estate of David Bruce, deceased, \$1,889.42.
 "To Annette M. Henderson, widow of Moses K. Henderson, deceased, \$134.55.
 "To Elizabeth D. Marthon, administratrix of the estate of Joseph Marthon, \$222.47.
 "To Annie D. Rundlett, widow of Howard M. Rundlett, deceased, \$196.62.
 "To Francis H. Swan, of Suffolk County, \$1,267.95.
 "To Florence H. Turner, daughter, and William H. Davis, son, of Henry Davis, deceased, \$274.25.
 "To Frederick W. Crocker, of Suffolk County, \$1,038.90.
 "To Frank W. Nichols, of Suffolk County, \$134.78.
 "To Stephen P. Quackenbush, of Suffolk County, \$1,953.42.
 "To John A. Shearman, of Suffolk County, \$109.59.
 "To the Globe Works, of the city of Boston, \$81,913.76.
 "To Francis H. Swan, \$233.84.
 "To W. W. Low, son of W. W. Low, deceased, \$2,366.37.
 "To Henry C. Keene, of Suffolk County, \$188.10.
 "To Francis H. Delano, \$404.38.
 "To A. N. Stocker, widow of Henry T. Stocker, deceased, \$328.20.
 "To Alice E. Whitmarsh, daughter of Zachariah Whitmarsh, deceased, \$39.55.
 "To J. B. Murdock, \$86.02.
 "To Cromwell G. Macy, nephew of Thomas M. Gardner, \$543.26.
 "To Frank A. Burbeck, administrator of Christopher Jordan, deceased, \$2,011.40.
 "To Sarah A. Wyckof, widow of John Wyckof, deceased, \$434.14.
 "To William H. Rush, \$212.87.
 "To William F. Hodgkinson, of Suffolk County, \$334.51.
 "To Henry R. Baker, \$298.06.
 "To William I. Moore, of Suffolk County, \$230.62.
 "To John F. Merry, of Middlesex County, \$1,269.28.
 "To Susan I. Bordman, widow of Charles Bordman, deceased, \$772.20.
 "To William F. Low, of Middlesex County, \$138.08.
 "To Annette B. Wenson, administratrix of George W. Adams, deceased, \$112.07.
 "To Priscilla A. Nicolson, administratrix of E. I. G. Rhoades, deceased, late widow of William W. Rhoades, deceased, \$660.82.
 "To Sarah M. Bennett, administratrix of the estate of Thomas Bennett, deceased, of Worcester County, \$917.12.
 "To David H. Tribou, of Suffolk County, \$960.28.
 "To the Atlantic Works, of the city of Boston, \$41,027.46.

"MICHIGAN.

"To Nannie H. Duvall, daughter of John Watters, deceased, \$1,599.25.
 "To Jane E. Read, administratrix of John H. Read, deceased, \$25.50.

"MINNESOTA.

"To Henry N. Manney, \$180.82.

"MISSISSIPPI.

"To E. L. Brien, administrator of John W. Taylor, deceased, of Warren County, \$1,572.
 "To John T. Mee, administrator of Sarah Riley (née Griffin), deceased, of Marshall County, \$309.
 "To George B. Harper, administrator of Carolinas Boyd, deceased, of Newton County, \$684.
 "To T. J. Chamberlain, of Jefferson County, \$340.
 "To Olivia K. Williams, administratrix of the estate of Seaborn J. Brown, deceased, of Hinds County, \$830.
 "To H. Taylor Garrison, administrator of John Gammel, deceased, of Tippah and Marshall counties, \$395.
 "To Emily C. Richmond (née Gibbons) and Samuel P. Gibbons, of Marshall County, \$800.
 "To C. M. Broadway, administrator of Jordan Broadway, deceased, of Marshall County, \$1,234.
 "To J. D. Cunningham, administrator of C. F. Cunningham, deceased, of Monroe County, \$4,964.
 "To the administrator of Sidney R. Smith, deceased, late of Washington County, \$2,740; and to the administrator of William R. Fleming, deceased, late of Washington County, \$685.
 "To Mary M. Jamison, administratrix of Wiley J. Jamison, deceased, of Hinds County, \$360.
 "To Jesse Addington, of Lafayette County, \$1,692.
 "To Catherine D. O'Sullivan, administratrix of Daniel O'Sullivan, deceased, of Warren County, \$943.
 "To John B. Howard, administrator of Joseph H. Howard, deceased, of Marshall County, \$1,327.
 "To Sarah H. Nunnally, administratrix of Eldred Nunnally, deceased, of Lafayette County, \$3,402.
 "To G. D. Hearn, administrator of William McK. Hall, deceased, of Marshall County, \$3,608.
 "To Leonidas Pittman, administrator of Flora E. Pope (née Graham), deceased, of Marion County, \$882.
 "To W. T. Ratliff, administrator of Charles F. Norris, deceased, of Hinds County, \$520.
 "To R. W. Magruder, administrator of Thomas B. Magruder, deceased, of Claiborne County, \$1,232.
 "To Robert Watt, jr., administrator of Robert Watt, sr., deceased, of Claiborne County, \$1,510.
 "To Mary F. Erwin, administratrix of Charlotte Jaquess, deceased, of Claiborne County, \$1,130.
 "To Samuel B. Harris, of Madison County, \$2,985.
 "To James Kelzer, administrator of James Glover, deceased, of Marshall County, \$4,774.
 "To Anna M. Willey, administratrix of Alfred Turner, deceased, of Yalobusha County, \$450.
 "To C. W. Telfair, administrator of James R. Telfair, deceased, of Tishomingo County, \$360.
 "To Anna J. Saunders G. B. Thornton, jr., administrator of the estate of M. Lou Thornton, deceased, and F. P. Poston, administrator of the estate of Mary Trezevant, deceased, of Marshall County, \$2,012, to be divided in equal shares.
 "To Bettie Brooks Metcalfe, daughter of Joseph M. Brooks, deceased, of Washington County, \$2,669.
 "To the Fidelity Trust Company, administrator of the estate of Lucy Brooks Bell, deceased, daughter of Joseph M. Brooks, deceased, of Washington County, \$2,669.

"To E. L. Brien, administrator of the estate of Ann Lum, deceased, of the city of Vicksburg, \$7,200.
 "To James D. Adams, \$275.33.
 "To Mary S. Strube, administratrix of the estate of P. B. Sawyer, deceased, of Marshall County, \$976.
 "To Della Sinnott and Adine Price, of Panola County, \$1,330.
 "To John W. Spratley, of Warren County, \$4,255.
 "To E. J. Maret, administrator of William B. West, deceased, of Marshall County, \$250.
 "To James Kizer, administrator of the estate of R. M. Glover, deceased, of Marshall County, \$1,061.
 "To B. E. Gray, administrator of the estate of Mrs. S. M. Davidson, deceased, of Marshall County, \$2,370.
 "To Samuel Worthington, administrator of the estate of Samuel Worthington, deceased, \$18,835.

MISSOURI.

"To Henry Damm, jr., administrator of Henry Damm, sr., deceased, of Benton County, \$493.
 "To Julia Ann Faught, William T. Shirrod, Leander K. Shirrod, Susan G. Wright, Louisa J. Wheeler, and Robert K. Shirrod, of Dade County, \$540.
 "To Colly B. Holland, of Bates County, \$3,075.
 "To Edwin T. Hill, administrator of Leroy L. Hill, deceased, of Pettis County, \$6,735.
 "To the heirs and legal representatives of John W. Hancock, deceased, of Iron County, \$1,160.
 "To L. D. Moneymaker, administrator of Charles Drennan, deceased, of Phelps County, \$510.
 "To Uriel Seebree, \$51.73.
 "To William W. Wheeler, of the city of St. Louis, \$16,087.
 "To Thomas G. Johnson, of Wayne County, \$200.
 "To John Schuman, administrator de bonis non of the estate of August Schuman, deceased, of Bates County, \$395.
 "To William A. Carr, of Stone County, \$1,200.
 "To Charles B. Stark, assignee of Joseph C. Stark, deceased, of the city of St. Louis, \$1,851.
 "To the estate of Joseph Engle, deceased, of Dallas County, \$232, to be paid to the person authorized by the probate court of Dallas County, Mo., under the laws of the State of Missouri, to receive the same; and so much of the act of May 27, 1902 (32 Stat. L., p. 212), as authorized the payment of \$232 to the said Joseph Engle is hereby repealed.

NEVADA.

"To Constance Louise Batione, administratrix of the estate of Dominick B. Batione, deceased, \$1,107.12.
 "To Edward D. Sweeney, of Carson City, Ormsby County, \$11,786.65.

NEW HAMPSHIRE.

"To Carlos G. Calkins, of Rockingham County, \$151.23.
 "To John H. Clark, of Hillsboro County, \$366.46.
 "To James M. Forsyth, of Merrimack County, \$348.42.
 "To Arthur C. Hedinger, of Rockingham County, \$85.48.
 "To Eva H. Wingate, widow of George E. Wingate, deceased, \$207.94.
 "To Elizabeth Baker, widow of Francis H. Baker, deceased, \$134.34.
 "To Harriet W. Potter, widow of Frederick E. Potter, deceased, \$914.13.
 "To Samuel S. Whitehouse, administrator of the estate of S. N. Whitehouse, deceased, \$387.16.
 "To Susan Woodman and Mary P. Woodman, executrices of Edward Woodman, deceased, \$337.54.
 "To Annie H. Eastman, widow of Thomas H. Eastman, deceased, \$1,152.06.
 "To Hamilton Hutchins, \$21.37.
 "To Angie D. Smith, executrix of Daniel A. Smith, deceased, \$1,146.30.

NEW JERSEY.

"To Samuel P. Comly, \$63.01.
 "To Frank Holler, of Ocean County, \$2,618.37.
 "To George W. Mentz, \$28.49.
 "To William Watts, of Morris County, \$80.58.
 "To Edwin White, of Mercer County, \$98.63.
 "To Ella S. Humphreys, executrix of the estate of C. F. Humphreys, deceased, \$591.06.
 "To Charles F. Hugg, brother, and Mary H. Hooton, sister, of Joseph Hugg, deceased, \$835.10.
 "To Catherine T. R. Mathews, widow of John R. Mathews, deceased, \$758.64.
 "To Melissa C. Setley, administratrix of the estate of Harry Setley, deceased, \$1,913.06.
 "To Edward M. Wood, administrator of John De Camp, deceased, \$1,947.79.
 "To Isabella Jaureteche, Rose Jaureteche, and Blanche Jaureteche, heirs at law of L. C. Sartori, deceased, \$173.75.
 "To Eleanor Sirian, widow of George Sirian, deceased, \$281.62.
 "To John J. Read, of Burlington County, \$287.13.
 "To Adele W. Elmer, widow of Horace Elmer, deceased, \$451.70.
 "To Harvey E. Maccoun, widow of Robert T. Maccoun, deceased, \$51.02.

NEW MEXICO.

"To Solomon J. Spiegelberg, Emanuel Spiegelberg, and Levi Spiegelberg, partners under the firm name of Spiegelberg Brothers, \$19,041.09.

NEW YORK.

"To Frank Anderson, \$190.69.
 "To Nicholas Anderson, \$35.
 "To Conway H. Arnold, of New York County, \$79.72.
 "To Joseph G. Ayers, of Westchester County, \$250.96.
 "To H. John Babin, of Kings County, \$248.60.
 "To Edward B. Barry, \$137.26.
 "To Henry G. Beyer, \$169.31.
 "To Delavan Bloodgood, of Kings County, \$910.83.
 "To John J. Byrne, of Kings County, \$29.59.
 "To Daniel Delehanty, \$714.53.
 "To George R. Durand, of Erie County, \$731.20.
 "To Bradley A. Fliske, of New York County, \$162.74.
 "To William C. Gibson, of Kings County, \$32.48.
 "To James H. Gillis, of Delaware County, \$2,369.86.
 "To George Glass, of New York County, \$491.50.
 "To James G. Green, of New York County, \$939.58.
 "To William G. Hannum, of Queens County, \$177.53.
 "To Andrew Harman, of Kings County, \$100.27.
 "To Nelson T. Houston, of New York County, \$687.67.
 "To A. J. Kenney, of Kings County, \$693.17.

"To William P. McCann, of Westchester County, \$1,268.49.
 "To John McGowan, of Dutchess County, \$254.54.
 "To Alfred T. Mahan, of New York County, \$143.56.
 "To Dennis H. Mahan, \$490.96.
 "To Charles Miller, of Nassau County, \$19.66.
 "To Jerome E. Morse, of Kings County, \$226.85.
 "To John Quevedo, of Queens County, \$238.
 "To Arthur B. Speyers, \$43.56.
 "To Henry Stewart, of Ontario County, \$121.29.
 "To Thomas H. Streets, of Kings County, \$116.71.
 "To Daniel D. V. Stuart, \$694.80.
 "To Zera L. Tanner, of Wyoming County, \$275.21.
 "To John C. Thompson, of Kings County, \$299.73.
 "To James E. Tolfree, of New York County, \$1,866.16.
 "To Richard H. Townley, of New York County, \$46.57.
 "To Henry M. Wells, of New York County, \$693.25.
 "To Truman B. White, of Kings County, \$98.31.
 "To Roscoe V. Wickes, of Kings County, \$657.80.
 "To Charles Wilson, of Kings County, \$497.62.
 "To George B. Abbott, administrator of the estate of Alexander McIntosh, deceased, \$1,645.45.
 "To Clara M. Bridge, executrix of the estate of Edward W. Bridge, deceased, \$238.91.
 "To E. D. Hill, executor of the estate of John C. Chavalier, deceased, \$755.34.
 "To Robert L. Meade, brother of Henry M. Meade, deceased, \$447.60.
 "To Maria W. P. Randle, daughter of Thomas Pattison, deceased, \$3,268.48.
 "To Henrietta L. Stevenson, widow of John H. Stevenson, deceased, \$1,044.26.
 "To Kate F. Timmerman, administratrix of the estate of George H. Cooper, deceased, \$105.76.
 "To Rosalie M. Van Duyn, daughter of Richard Van Voorhis, deceased, \$251.35.
 "To Catherine S. Van Hovenberg, administratrix of the estate of John Van Hovenberg, deceased, \$631.24.
 "To Andrew R. Wentworth, administrator of the estate of John Birdsall, deceased, \$513.43.
 "To H. F. Woods, executor of the estate of George W. Woods, deceased, \$82.24.
 "To Lawrence W. Allibone, brother of Charles O. Allibone, deceased, \$139.18.
 "To Lizzie M. Barnard, widow of Warren Barnard, deceased, \$699.17.
 "To Almira C. Bashford, widow of A. P. Bashford, deceased, \$48.22.
 "To Margaret A. Brush, widow of George R. Brush, deceased, \$767.75.
 "To Annie Freeman, widow of Charles C. Freeman, deceased, \$585.20.
 "To Elizabeth A. Gardner, widow of John W. Gardner, deceased, \$305.75.
 "To Josephine C. Haskins, sister of George S. Haskins, deceased, \$305.75.
 "To Edith B. Goebel, niece of Chester Hatfield, deceased, \$899.09.
 "To Mary L. Hawley, widow of Charles E. Hawley, deceased, \$2,292.42.
 "To Florence A. R. Judd, committee of Charles H. Judd, \$416.39.
 "To Helen F. Lasher, widow of Oren E. Lasher, \$123.29.
 "To Bessie C. Parker, daughter of Ralph Chandler, deceased, \$3,087.67.
 "To H. De B. Parsons, administrator of the estate of George B. Livingston, deceased, \$387.94.
 "To Harry C. Robertson, administrator of the estate of Jonas Dible, deceased, \$82.64.
 "To William L. Stephens, grandson of Jacob Stephens, deceased, \$874.14.
 "To Kate E. Lloyd and Ella M. Thompson, daughters of Egbert Thompson, deceased, \$177.20.
 "To Sarah Waugh, widow of Edward J. Waugh, deceased, \$283.48.
 "To Susan D. Yates, widow of Arthur R. Yates, deceased, \$483.43.
 "To William S. Dana, \$680.55.
 "To Frederick Elliott, \$56.04.
 "To William W. Williams, \$547.53.
 "To Annie A. Haxton, executrix of Milton Haxton, deceased, of New York County, \$42.64.
 "To Conway H. Arnold, \$666.30.
 "To Nelson T. Houston, \$314.07.
 "To George T. Douglass, of Kings County, \$76.29.
 "To Mary A. McCarty, widow of Stephen A. McCarty, deceased, \$143.78.
 "To Phoebe A. Hardy, sister of De Witt Clinton Kells, deceased, \$77.81.
 "To Anna L. Coghlan, administratrix of the estate of Jasper Coghlan, deceased, \$735.31.
 "To Charles Martin, of New York County, \$623.54.
 "To Emma M. Clark, administratrix of Ambrose J. Clark, and Wallace S. Clark, administrator, of Schenectady County, \$459.65.
 "To John A. B. Smith, \$475.60.
 "To Walter McLean, \$18.08.
 "To Herbert M. Griffiths, \$422.27.
 "To Josephine Q. Carpenter and Anna L. Q. Hayes, daughters of John N. Quackenbush, deceased, \$168.68.
 "To Alex G. Brinckerhoff, administrator of Isaac Brinckerhoff, deceased, \$325.38.
 "To Francis E. Hunt and Alice M. Hunt, heirs at law of George P. Hunt, deceased, \$85.64.
 "To Hannah Cooper, widow of James M. Cooper, deceased, \$541.80.
 "To John E. Roller, \$400.28.
 "To Marion L. Thompson, widow of August F. Thompson, deceased, \$136.80.
 "To Peter O'Conner, \$153.46.
 "To Elizabeth D. Marthon, administratrix of Joseph Marthon, deceased, \$1,322.74.
 "To Arthur Burtis, \$1,435.86.
 "To Fidelity S. Prindle, widow (remarried) of George L. Mead, deceased, \$281.06.
 "To Charles Miller, of Nassau County, \$17.76.
 "To Andrew Dunlap, \$557.80.
 "To William B. Mann, \$183.49.
 "To John H. Cahoon and Charles G. Cahoon, heirs at law of Benjamin J. Cahoon, deceased, \$1,140.76.
 "To John Dennett, of New York County, \$234.24.
 "To Mary F. Coons, administratrix of John West, deceased, of Kings County, \$915.10.
 "To the Allaire Works, of the city of New York, \$50,277.67, payment

to be made to Ephraim Miller, president, and no part thereof to any other person.

"To Edward J. Gallagher, administrator of the estate of Charles Gallagher, deceased, of the city of New York, \$9,876.39.

"NORTH CAROLINA.

"To Nancy C. Bell (née Hill), executrix of the estate of Isaac S. Hill, deceased, of Carteret County, \$1,831.

"To Duncan Darroch, administrator of Daniel Darroch, deceased, of Cumberland County, \$261.

"To Thomas F. McCarthy, administrator of Henry Covert, deceased, of Craven County, \$378.

"To Reuben Jones, administrator of Theophilus Weaver, deceased, of Harnett County, \$550.

"To John W. Snipes, administrator of Arthur Pierce, deceased, of Johnson County, \$366.

"To Benjamin L. Bryan, of Jones County, \$517.

"To George R. Watkins, of Mitchell County, \$1,096.19.

"To John I. Rowland, of Beaufort County, \$420.

"To the Seamen's Friend Society, of Wilmington, \$1,256.

"To Nelson M. Ferebee, \$84.38.

"To the wardens and vestry of Saint James Parish, of the city of Wilmington, \$3,113.

"OHIO.

"To Lyman Arms, of Franklin County, \$218.63.

"To T. W. Benham, of Lucas County, \$305.26.

"To George E. Ide, \$745.04.

"To Robert E. Impey, \$231.23.

"To Merrill Miller, \$298.08.

"To L. D. Cabaune, executor of the estate of George Talcott, deceased, \$61.26.

"To Joseph Fyffe, \$835.61.

"To Alfred L. McDaniel, executor of the estate of Charles A. McDaniel, deceased, \$715.62.

"To Frank R. Salter, administrator of the estate of Byron Wilson, deceased, \$495.90.

"To Winslow Alderdice, \$83.84.

"To Albert I. Smith, administrator of Samuel L. Wilson, deceased, \$796.71.

"To J. P. Andre Mottu, administrator of John C. Burnett, deceased, \$172.11.

"To Byron Wilson, \$623.28.

"PENNSYLVANIA.

"To Timothy J. Murphy, administrator of Chalkley Good, deceased, late of Philadelphia County, \$1,740.

"To John Q. Everson, last surviving partner of the firm of Everson, Preston & Co., of Pittsburg, Allegheny County, \$927.47.

"To Mark W. Watson, last surviving partner of the firm of McCully & Co., of Pittsburg, Allegheny County, \$1,680.01.

"To John C. Graff, administrator of John Graff, deceased, the last surviving partner of the firm of Graff, Bennett & Co., of Pittsburg, Allegheny County, \$4,313.10.

"To J. Stuart Brown and Henry G. Brown, only surviving partners of the firm of Brown & Co., of Pittsburg, Allegheny County, \$2,727.90.

"To James A. Chambers, executor of Alexander Chambers, deceased, the last surviving partners of A. & D. H. Chambers, of Pittsburg, Allegheny County, \$1,293.75.

"To George A. Chalfant and Charles W. Spang, only surviving partners of the firm of Spang, Chalfant & Co., of Pittsburg, Allegheny County, \$1,736.55.

"To John C. Porter, sole surviving partner of McKnight & Co., of Pittsburg, Allegheny County, \$1,822.01.

"To Charles H. Zug, sole surviving partner of Zug & Painter, of Pittsburg, Allegheny County, \$2,940.62.

"To Walter Chess, sole surviving partner of Chess, Smyth & Co., of Pittsburg, Allegheny County, \$1,796.25.

"To Wenman A. Lewis and James S. Lewis, executors of the estate of James C. Lewis, deceased, the last surviving partner of the firm of Lewis, Dalzel & Co., of Pittsburg, Allegheny County, \$1,053.79.

"To John S. Slagle and Edwin Milles, only surviving partners of the firm of Shoemaker & Co., of Pittsburg, Allegheny County, \$2,585.62.

"To John Lippincott, sole surviving partner of the firm of Lippincott & Co., of Pittsburg, Allegheny County, \$989.36.

"To William J. Moorhead, executor of the estate of James K. Moorhead, deceased, the last surviving partner of the firm of Livingston, Copeland & Co., of Pittsburg, Allegheny County, \$1,046.37.

"To James B. Lyon, sole surviving partner of the firm of J. B. Lyon & Co., of Pittsburg, Allegheny County, \$543.13.

"To James H. Mitchell, sole surviving partner of the firm of Mitchell, Herron & Co., of Pittsburg, Allegheny County, \$383.

"To John L. Boyd, sole surviving partner of the firm of Jones, Boyd & Co., of Pittsburg, Allegheny County, \$1,206.12.

"To Chester B. Albee, executor of the estate of Robert Albee, deceased, the last surviving partner of the firm of Fahnestock, Albee & Co., of Pittsburg, Allegheny County, \$780.60.

"To William Varnum, sole surviving partner of the firm of Hallman, Rahm & Co., of Pittsburg, Allegheny County, \$2,251.94.

"To D. W. C. Carroll, sole surviving partner of the firm of Carroll & Snyder, of Pittsburg, Allegheny County, \$237.50.

"To Frank S. Bissell, sole surviving partner of the firm of Bissell & Co., of Pittsburg, Allegheny County, \$262.90.

"To Daniel N. Bertollette, of Berks County, \$125.48.

"To Thomas W. Bonsall, of Delaware County, \$1,339.33.

"To James B. Butt, of Philadelphia County, \$193.67.

"To Woodward Carter, of Philadelphia County, \$96.44.

"To Charles E. Colahan, \$503.01.

"To George W. Davis, of Philadelphia County, \$618.62.

"To Thomas A. Gill, of Philadelphia County, \$178.09.

"To John L. Hannum, of Philadelphia County, \$44.38.

"To Robert P. Lisle, of Philadelphia County, \$1,027.92.

"To Edwin Longnecker, \$146.41.

"To George H. Peters, \$40.

"To Abel F. Price, \$145.75.

"To B. Franklin Rogers, \$299.46.

"To Richard Rush, \$130.41.

"To Alexander W. Russell, of Philadelphia County, \$381.13.

"To Charles A. Schetky, of Philadelphia County, \$2,110.89.

"To Charles M. Thomas, \$560.

"To S. Stringham Willett, of Philadelphia County, \$1,027.71.

"To William Winder, of Erie County, \$1,069.31.

"To H. C. Adams, administrator of the estate of Henry A. Adams, deceased, \$1,106.85.

"To Agloe Bache, widow of Albert D. Bache, deceased, \$956.99.

"To Alice H. Baughman, widow of George E. Baughman, deceased, \$201.36.

"To Ellen V. Hines, administratrix of the estate of Samuel D. Hines, deceased, \$398.90.

"To Theodore Kitchen, sole surviving executor of the estate of John S. Kitchen, deceased, \$92.65.

"To Elizabeth I. Lowber, widow of William Lowber, deceased, \$376.88.

"To Mary E. McMaster, administratrix of the estate of James McMaster, deceased, \$404.99.

"To Sarah A. McMurtrie, widow of Daniel McMurtrie, deceased, \$789.47.

"To John A. Geissinger, administrator of the estate of William H. Jones, deceased, \$818.63.

"To Amelia A. Grim, sister, and William Robertson, brother, of James P. Robertson, deceased, \$731.72.

"To Oceana B. Irwin, widow of John Irwin, deceased, \$1,728.15.

"To S. Kingston McCay, surviving executor of the estate of Reigart B. Lowry, deceased, \$389.04.

"To Caroline F. McIlvaine, widow of Bloomfield McIlvaine, deceased, \$37.65.

"To Frances M. McShane, granddaughter of Stephen Young, deceased, \$380.27.

"To Dallas Sanders, administrator of the estate of Cary N. Sanders, deceased, \$623.14.

"To Mary A. Tompkins, administratrix of the estate of William G. Tompkins, \$591.23.

"To Benjamin S. Mackie, of Philadelphia County, \$161.64.

"To George W. Omensetter, \$150.41.

"To Joseph G. Thomas, of Erie County, \$332.50.

"To Joseph A. Smith, of Philadelphia County, \$1,063.01.

"To Albert C. Engard, of Philadelphia County, \$633.97.

"To George A. Lyon, \$421.96.

"To Joseph Smith, \$60.82.

"To Theodore M. Etting, of Philadelphia County, \$248.77.

"To William Little, of Allegheny County, \$552.09.

"To David O. Lewis, \$346.30.

"To Fidelity Trust Company, administrator of Francis G. Dallas, deceased, of Philadelphia County, \$101.50.

"To Edward H. Gheen, \$577.54.

"To P. J. Horwitz, \$56.44.

"To Robert L. Meade, son of Richard W. Meade, deceased, \$1,160.14.

"To Edward Shippen, of Philadelphia County, \$630.

"To Nicholas Mager, jr., executor of the estate of Nicholas Mager, deceased, \$527.05.

"To David M. Fulmer, \$163.85.

"To David B. Harmony, \$36.71.

"To George M. Engle, son of Frederick Engle, deceased, \$1,126.84.

"To the Real Estate Title Insurance and Trust Company of Philadelphia, administrator of the estate of Charles Miller, deceased, \$907.09.

"To Linnaeus Fussell, \$883.31.

"To Mary Lowrie, heir and legatee of John Lowrie, deceased, \$506.36.

"To George M. Book, \$323.29.

"To Robert Potts, \$164.92.

"To N. E. Mason, \$581.92.

"To J. M. Emanuel, \$461.92.

"To Cornelius Dugan, \$255.34.

"To Woodward Carter, \$586.86.

"To N. H. Farquhar, \$1,173.26.

"To Isaac G. Moale, administrator of William N. Watmough, \$844.38.

"To Nicholas Brice, brother of William H. Brice, deceased, of the city of Philadelphia, \$473.49.

"To John A. Trimble, administrator of George W. Ebert, deceased, of the city of Georgetown, \$1,057.50.

"PHILIPPINE ISLANDS.

"To John Corwine, of Manila, \$69.86.

"RHODE ISLAND.

"To Charles W. Abbott, of Bristol County, \$97.

"To Robert Robinson, of Newport County, \$1,329.12.

"To Benjamin F. Tilley, \$248.77.

"To Jennie H. Clarke, administratrix de bonis non of the estate of Frank Clarke, deceased, \$1,200.

"To Walter N. Smith, of Newport County, \$659.18.

"To Charles W. Abbott, administrator de bonis non of Joel Abbott, deceased, \$779.18.

"To George R. Durand, \$1,231.78.

"SOUTH CAROLINA.

"To Mariah L. Trowell, administratrix of the estate of Benjamin F. Trowell, deceased, of Beaufort County, \$439.4.

"To John S. Brigman, administrator of Thomas Brigman, deceased, of Marlboro County, \$615.

"To Mrs. Sallie J. Adams, administratrix of Herbert Smith, deceased, of Marlboro County, \$1,826.

"To Cecil C. Neil, \$162.74.

"To Arthur B. Hoff, administrator of Henry K. Hoff, deceased, \$1,252.74.

"TENNESSEE.

"To Hugh P. Aikin, administrator of the estate of Hugh B. Porter, deceased, of Maury County, \$1,912.

"To A. G. Cadle, administrator of Mark Cadle, deceased, of Claiborne County, \$579.

"To John T. Cunningham, of Coffee County, \$220.

"To Frederickie Eberhart, administratrix of Jacob Eberhart, deceased, of Davidson County, \$1,800.

"To Eliza A. Duffield, of McNairy County, \$405.

"To J. S. Ladd, administrator of the estate of Thornton G. Ladd, deceased, of Tipton County, \$711.

"To Isalah Standifer, of Claiborne County, \$202.

"To R. W. Barton, of Weakley County, \$219.

"To Thomas J. Cadle, administrator of Martin Cadle, deceased, of Claiborne County, \$404.

"To John B. Bosley, administrator of Ailsey Bosley, deceased, of Davidson County, \$4,855.

"To F. W. Dove, administrator of Christian Bashor, deceased, of Washington County, \$330.

"To Louisa O. Wynne, Susan W. Wynne, and Mary M. Wynne, executrices of Alfred R. Wynne, deceased, of Sumner County, \$2,250.

"To the trustees of the Cumberland Presbyterian Church at Charlotte, Dickson County, \$2,070.

"To George W. Branham, of Hamilton County, \$326.

"To Henry Craft, administrator of William D. Ferguson, deceased, of Shelby County, \$2,014.

"To Hermann Graef, of Perry County, \$125.
 "To Gertrude A. Leftwich, widow of John Leftwich, deceased, of Wayne County, \$3,795.
 "To Dorcas Elizabeth (otherwise Bettie) and Samuel McCammon, of Knox County, \$1,420.
 "To James W. Vaughan, administrator of Turner Vaughan, deceased, of Wilson County, \$1,665.
 "To R. A. Wood, sole heir of Eliza Wood, deceased, of Sullivan County, \$100.
 "To Nathan H. Whitlow, of Madison County, \$2,210.
 "To Joseph C. Cooper, of Gibson County, \$150.
 "To Lettie Cannon, administratrix of Henry Cannon, deceased, of Shelby County, \$119.
 "To Thomas H. Webb, executor of Emily M. Ewell, deceased, of Fayette County, \$1,538.
 "To J. P. Hunter and William B. Hodges, administrators of Jacob E. Hodges, deceased, of Hamblen County, \$750.
 "To Mary A. Priddy, administratrix of James M. Priddy, deceased, of Henderson County, \$346.
 "To James W. Clift, administrator of William Clift, deceased, of Hamilton County, \$9,544.
 "To Asa Atkins, administrator of James M. Atkins, deceased, of Dyer County, \$380.
 "To A. J. Williford, administrator of Lavina Williams, deceased, of Shelby County, \$360.
 "To Henry E. Hilliard, of Fayette County, \$1,115.
 "To Aaron Bullock, of Campbell County, \$55.
 "To A. J. Jenkins, administrator of James Russell, deceased, of Marion County, \$427.
 "To William H. Landrum, of Gibson County, \$257.
 "To Stephen Eason, of Decatur County, \$115.
 "To Charles R. Holmes, administrator of Nelson Cowan, deceased, of Rutherford County, \$363.
 "To S. B. Stephenson, administrator of Henry A. Dacus, deceased, of Tipton County, \$220.
 "To Eveline Hixon, of Hamilton County, \$656.
 "To J. J. Bryson, administrator of Joseph H. Bryson, deceased, of Cannon County, \$215.
 "To G. R. Lipscomb, administrator of Mary A. Branch, deceased, of Fayette County, \$545.
 "To C. M. McRee, administrator de bonis non of Robert C. McRee, deceased, of Hamilton County, \$810.
 "To D. P. Haste, administrator of William Varnor, deceased, of Gibson County, \$125.
 "To Sterling Beeson, Granville Beeson, Frank Dugger, Penelope Foster, and George R. Dugger, guardian of Georgie K. Dugger, heirs of and representing one-fifth interest in the estate of one William H. Stringer, deceased, of Hamilton County, \$1,908.80, being the share of the above-mentioned claimants, in the following proportions: Sterling Beeson, \$636.26; Granville Beeson, \$636.26; Frank Dugger, \$212.09; Penelope Foster, \$212.09; and George R. Dugger, guardian of Georgie K. Dugger, \$212.10.
 "To Martha A. Carter, sole heir of Jerome C. Simmerman, deceased, of Hamilton County, \$820.
 "To William H. Taylor, administrator of Lewis McDaniel, deceased, of Jefferson County, \$437.
 "To James F. Rust, administrator of Isaac Rust, deceased, of Grundy County, \$2,016.
 "To the heirs of Solomon P. McKinnie, deceased, late of Hardeman County, \$900, to be divided among said heirs as follows: Three hundred and three dollars to Nancy Elizabeth Hurt (née McKinnie); \$303 to Solomon P. McKinnie, jr., and \$303 to Needham Michael McKinnie.
 "To Joseph T. Blanton, administrator of Benjamin Blanton, deceased, of Rutherford County, \$1,263.
 "To J. B. Brown, administrator of Mitchell Brown, deceased, of Maury County, \$278.
 "To T. S. Gallaway, administrator of Margaret E. Rawlings, deceased, of Fayette County, \$1,015.
 "To T. L. Pursley, administrator of Rosa Pursley, deceased, of Hamilton County, \$200.
 "To William Tillett, administrator of Andrew Bell, deceased, of Jefferson County, \$125.
 "To Pink Dews, of Davidson County, \$1,130.
 "To John N. Johnson, administrator of Benjamin Johnson, deceased, of Hardin County, \$1,349.
 "To E. J. Huber, administrator of the estate of Caroline Hinyard, deceased, of Hamilton County, \$656.
 "To Mora B. Furiss, administrator of the estate of Peter Stanton, deceased, and George W. Brown, administrator of the estate of Daniel Brown, deceased, of Columbia, Maury County, \$850.
 "To the trustees of the Methodist Episcopal Church South, of Saulsbury, Hardeman County, \$240.
 "To Argalus B. Bratton, of Franklin County, \$526.
 "To Joseph Tagg, of Shelby County, \$603.
 "To Mrs. Elizabeth W. Hays, sole heir of Mary A. Walker, deceased, of Shelby County, \$3,312.
 "To Susan N. Moore, administratrix of C. C. Moore, deceased, of Nashville, Davidson County, \$5,770.
 "To Robert M. Doyle, \$46.64.
 "To Hig Melton, administrator of the estate of William B. Nokes, deceased, of Cannon County, \$90.
 "To Elizabeth J. Taylor, administratrix of Josiah M. Stephenson, deceased, of the city of Knoxville, \$2,192.
 "To William M. Noe, of Sullivan County, \$515.
 "To Victoria Wasson, Ella Wasson, and Frank Wasson, heirs at law of Richard F. Wasson, of Rutherford County, \$8,050.

TEXAS.

"To James R. Waggener, of Travis County, \$251.22.
 "To Mary E. Braine, widow of Daniel L. Braine, deceased, \$3,272.33.
 "To Daniel Hammon, of Brown County, \$1,935.
 "To A. L. Patton, administrator of the estate of Henry Ruby, deceased, of Bexar County, \$3,181.

VERMONT.

"To Frank Ellery, \$486.57.
 "To Gilbert Morton, of Chittenden County, \$398.67.
 "To M. Annette Upham, administratrix of Charles C. Upham, deceased, \$128.11.
 "To Mary H. Woodward, widow of Edwin T. Woodward, deceased, \$179.73.
 "To Mae H. Tyler, widow of Hanson R. Tyler, deceased, \$624.10.

" VIRGINIA.

"To A. H. Baker, administrator of the estate of John T. Gray, deceased, of Nansemond County, \$737.
 "To William E. Carhart, of Norfolk County, \$865.
 "To Levi M. Hummer, administrator of Benjamin A. Hummer, deceased, of Fairfax County, \$475.
 "To John, Richard, Philip, and Simon Mayer, of Dinwiddie County, \$673.
 "To Robert Whitacre, administrator of the estate of Agnes Randall, deceased, of Fauquier County, \$385.
 "To Charles R. Carder, of Rappahannock County, \$140.
 "To Hiram R. McCalmont, administrator of the estate of A. Lawrence Foster, deceased, of Fairfax County, \$4,148.
 "To John P. L. Hopkins, in his own right, and as administrator of the estate of William H. A. Hopkins, deceased, of Accomac County, \$1,200.
 "To William S. Wood, administrator of the estate of Bazil Grigsby, deceased, of Rappahannock County, \$404.
 "To Adelaide Greenlaw, of Stafford County, \$129.
 "To M. Ringgolia Brooke, of Stafford County, \$129.
 "To Julia L. Clemson, Harry L. Clemson, William B. Clemson, Edith M. Clemson, and J. Osborne Clemson, heirs of John Clemson, deceased, and Emily Cookson and May Cookson Jones, heirs of John G. Cookson, deceased, of Alexandria County, \$5,865.
 "To John A. Stover, administrator of Jacob A. Stover, deceased, of Augusta County, \$405.
 "To Ira J. Partlow, administrator of the estate of Lydia Hoff and Hannah Updike, deceased, of Rappahannock County, \$711.
 "To John W. Reeser, of Shenandoah County, \$265.
 "To the trustees of Trinity Episcopal Church, of Portsmouth, \$1,000.
 "To Spencer Vaughan, administrator of Asa Tucker, deceased, of Dinwiddie County, \$2,515.
 "To Mary C. Munt, administratrix of John H. Munt, deceased, of Prince George County, \$1,175.
 "To Robert R. Veitch, administrator of Septimus Brown, deceased, of Alexandria County, \$1,565.
 "To R. Gray Williams, administrator of Israel Cobourn, deceased, of Frederick County, \$772.
 "To Kilbourn H. Rowsey, of Rockbridge County, \$210.
 "To Silas T. Rosser, administrator of George N. Rosser, deceased, of Shenandoah County, \$380.
 "To N. W. Baker, administrator of Elizabeth Nicholas, deceased, of Shenandoah County, \$249.
 "To John R. Fauver, sole heir and legatee of Richard Anderson, deceased, of Augusta County, \$380.
 "To George W. Ball, administrator of Mary Ann Ball, deceased, of Lee County, \$1,920.
 "To John W. Barclay, administrator of Solomon Barclay, deceased, of Norfolk County, \$2,760.
 "To Isaac Davenport, jr., surviving partner of Edmond & Davenport, of Henrico County, \$4,797.64.
 "To George D. Harwood, of Henrico County, \$1,300.
 "To Thomas W. McCause, surviving partner of Dunlap, Moncure & Co., of Henrico County, \$3,675.
 "To D. T. Madigan, surviving partner of Fabian & Madigan, of Henrico County, \$625.
 "To Dr. Creed Thomas, of Henrico County, \$1,127.50.
 "To W. H. Palmer, executor of William Palmer, deceased, of Henrico County, \$1,620.
 "To John E. Robinson, of Henrico County, \$1,620.
 "To John Enders, executor of William Greanor, deceased, of Henrico County, \$4,200.
 "To Mary W. Bailey, executrix of Samuel M. Bailey, deceased, of Henrico County, \$375.
 "To Garrett F. Watson, surviving partner of Ludlam & Watson, of Henrico County, \$4,972.
 "To the estate of R. O. Hoskins, deceased, of Henrico County, \$540.
 "To Ann E. Grant, administratrix of James H. Grant, deceased, of Henrico County, \$1,800.
 "To Samuel P. Lathrop, agent for Eugene Carrington, administrator of George M. Carrington, deceased, of Henrico County, \$1,150.
 "To John Enders, of Henrico County, \$1,140.
 "To W. Ben Palmer, executor of George S. Palmer, of Henrico County, \$351.
 "To John Bowers, surviving partner of Charles D. Yale & Co., of Henrico County, \$400.
 "To E. M. Garnett, assignee of Joel B. Watkins, of Henrico County, \$2,000.
 "To W. L. Crittenden, trustee of Mount Holly Baptist Church, of Morrisville, \$980.
 "To James D. Sipe, administrator of Asa S. Baugher, deceased, of Rockingham County, \$125.
 "To Charles E. Flanary, administrator of Chadwell Brittain, deceased, of Lee County, \$4,864.
 "To Clifford S. Boush, \$185.76.
 "To Millard H. Crawford, \$79.45.
 "To James M. Creighton, of Norfolk County, \$320.
 "To Benjamin F. Day, of Rockbridge County, \$444.93.
 "To James Hill, of Norfolk County, \$253.70.
 "To Richard Inch, of Warwick County, \$17.53.
 "To Peter Johnson, of Norfolk County, \$82.19.
 "To Stephen D. Kennedy, of Fauquier County, \$264.38.
 "To Hugh Kuhl, of Norfolk County, \$769.87.
 "To Luther L. Martin, \$70.68.
 "To Charles Aulick, administrator of the estate of Hampton Aulick, deceased, \$523.84.
 "To Lulu Boom, daughter of Francis Boom, deceased, \$320.89.
 "To Emily J. Kenney, administratrix of the estate of Edward Kenney, deceased, \$435.61.
 "To Emma J. Rich, administratrix of the estate of Charles E. Rich, deceased, \$692.05.
 "To Martha C. Keppler, administratrix of the estate of Robert Whiting, deceased, \$249.03.
 "To Julia T. Scott, widow of Gustavus H. Scott, deceased, \$197.71.
 "To Amanda Wheeler, guardian of Ruth E. Hughes, daughter of Edward Hughes, deceased, \$355.07.
 "To Alfred B. Carter, of Fauquier County, \$4,000.
 "To John McManus, of Norfolk County, \$419.53.
 "To John Gaskins, \$562.83.
 "To the trustees of Centenary Reform Church, of Winchester, Frederick County, \$1,786.
 "To Manville A. Austin, Emma A. Johnson, Edgar H. Pullman, and

Olive C. Kefauver, heirs of Valorous G. Austin, deceased, of Alexandria County, \$1,680.

"To the trustees of the Enon Baptist Church, in Chesterfield County, \$600.

"To the trustees of the Evangelical Lutheran Church of Strasburg, Shenandoah County, \$1,619.

"To the trustees of Braddock Street Methodist Episcopal Church South, of Winchester, Frederick County, \$2,560.

"To Margaret V. Maddux, of Loudoun County, \$1,960.

"To the Catholic Church of Winchester, Frederick County, \$610.

"To the trustees of the Presbyterian Church of Lewinsville, Fairfax County, \$1,760.

"To C. C. Gaver, administrator of Joseph Baldwin, deceased, of Loudoun County, 455.

"To Susanna Buffington, sole heir of the estate of A. M. Buffington, deceased, of Loudoun County, \$75.

"To Henry E. Butts, of Loudoun County, \$25.

"To C. C. Gaver, administrator of the estate of Joseph Conard, deceased, of Loudoun County, \$300.

"To C. C. Gaver, administrator of the estate of L. W. Derry, deceased, of Loudoun County, \$118.

"To C. C. Gaver, executor of the estate of Philip Derry, deceased, of Loudoun County, \$600.

"To C. C. Gaver, administrator of the estate of Philip Derry, deceased, of Loudoun County, \$833.

"To C. C. Gaver, administrator of the estate of Philip Fry, deceased, of Loudoun County, \$100.

"To C. C. Gaver, administrator of the estate of Harrison Haws, deceased, of Loudoun County, \$268.

"To S. H. Love, administrator of the estate of Samuel Hough, deceased, of Loudoun County, \$200.

"To C. C. Gaver, administrator of the estate of George W. Moore, deceased, of Loudoun County, \$430.

"To W. O. Russell, administrator of the estate of George Neer, deceased, of Loudoun County, \$200.

"To E. C. and W. C. Potts, administrators of the estate of Edwin H. Potts, deceased, of Loudoun County, \$25.

"To A. H. Potts, administrator of the estate of F. M. Potts, deceased, of Loudoun County, \$275.

"To Thomas W. Potts, sole heir of Jonas Potts, deceased, of Loudoun County, \$155.

"To C. C. Gaver, administrator of the estate of Henry Reed, deceased, of Loudoun County, \$200.

"To W. O. Russell, administrator of the estate of J. L. Russell, deceased, of Loudoun County, \$75.

"To C. C. Gaver, administrator of the estate of David Shriver, deceased, of Loudoun County, \$405.

"To Jane Tavenner, executrix of the estate of Richard Tavenner, deceased, of Loudoun County, \$30.

"To C. C. Gaver, administrator of the estate of Levi Waters, deceased, of Loudoun County, \$360.

"To Ella A. Hall, of Fairfax County, \$4,238.

"To the Norfolk Seamen's Friend Society, of Norfolk, Norfolk County, \$3,061.

"To Raleigh Sherman, administrator of Isaac Hollingsworth, deceased, devisee under the will of Harriet B. Hollingsworth, deceased, of Frederick County, \$5,760.

"To Charles U. Gravatt, \$351.22.

"To John Gaskins, of Norfolk County, \$103.83.

"To Alexander W. Cassell, of Norfolk County, \$382.70.

"To Marie Elizabeth Horner, widow of Frederick Horner, deceased, \$35.21.

"To Nannie Glover Kaufman, widow (remarried) of William K. Mayo, deceased, \$196.23.

"To Clifford J. Boush, \$2.55.

"To Emily J. Kenney, administratrix of Edward Kenney, deceased, \$2,766.72.

"To Henry T. Percy, \$323.84.

"To George P. Lumsden, \$154.52.

"To Emily A. H. Tatem, sister and administratrix of Josiah D. Pinner, deceased, \$79.38.

"To Robert Whiting, \$199.72.

"To E. B. Shaver, administrator of the estate of Elizabeth Hahn, deceased, of Shenandoah County, \$459.

"To the trustees of the Norfolk Academy, of the city of Norfolk, \$3,600.

"To George L. Watkins, Junius F. Watkins, Bettie Hamilton, Lottie E. Kidd, and Louisa J. Jones, of Greensville County, \$9,141.

"To the trustees of St. Paul's Protestant Episcopal Church, of the city of Norfolk, \$3,600.

"To Rosa M. Bowden, Zenobia Porter, Mary E. Bowden, and Martha Bowden Gustin, heirs of Lemuel J. Bowden, deceased, of York County, \$4,845.

"WASHINGTON.

"To Phillip C. Van Buskirk, of Snohomish County, \$259.18.

"To Jacob Edmund Noel, of Pierce County, \$204.93.

"To Ambrose B. Wyckoff, of King County, \$199.45.

"WEST VIRGINIA.

"To Allen J. Moses, of Greenbrier County, \$672.

"To J. G. Rogers, administrator of John Rogers, deceased, of Fayette County, \$263.

"To Warwick Hutton, administrator of Samuel Morrison, deceased, of Randolph County, \$1,340.

"To Thomas B. Scott, of Randolph County, \$1,178.

"To Charles B. Van Metre, administrator of Thomas T. Van Metre, deceased, of Berkeley County, \$438.

"To J. D. Billmyer, administrator of Margaret J. Cross, deceased, of Jefferson County, \$105.

"To Patrick Crickard, administrator of Henry Currence, deceased, of Randolph County, \$502.

"To Robert C. Hess, executor of John Hess, deceased, of Jefferson County, \$215.

"To H. L. Snapp, administrator of Jacob H. Snapp, deceased, of Berkeley County, \$270.

"To George W. Hott, administrator de bonis non cum testamento annexo of the estate of John Nicewaner, deceased, of Jefferson County, \$549.

"To Melven Currence, administrator of William H. Currence, deceased, of Randolph County, \$1,300.

"To Lee Crouch, administrator of Abram Crouch, deceased, of Randolph County, \$4,104.

"To James H. Lemon, administrator of Newton Shumate, deceased, of Raleigh County, \$481.

"To Robert M. G. Brown, of Monongalia County, \$711.69.

"To William D. Staley, Ellen R. Whitson, and Robert D. Staley, sole heirs of Stephen Staley, deceased, of Jefferson County, \$815.

"To the trustees of the Methodist Episcopal Church, of Harpers Ferry, Jefferson County, \$3,000.

"To the trustees of the Methodist Episcopal Church South, of Guyandotte, Cabell County, \$2,000.

"To the trustees of the Baptist Church, of Guyandotte, Cabell County, \$2,000.

"To the trustees of the Methodist Episcopal Church, of Mill Creek, Randolph County, \$800.

"To the trustees of the Methodist Episcopal Church South, of Winfield, Putnam County, \$1,200.

"To the trustees of the Baptist Church, of Charlestown, Jefferson County, \$1,449.

"To the trustees of Baxter Institute, of Buckhannon, Upshur County, \$1,431.

"To the trustees of Tuscarora Lodge, Independent Order of Odd Fellows, of Martinsburg, Berkeley County, \$1,145.

"WISCONSIN.

"To James K. Cogswell, \$214.80.

"To Albert Mertz, \$58.08.

"To Webster Doty, \$89.86.

"To Florence Hayward, daughter of George W. Hayward, deceased, \$317.82."

Page 30, after line 14, insert:

"MISCELLANEOUS COURT OF CLAIMS FINDINGS."

Page 30, after line 14, insert: "To Mrs. Julia L. Hall, widow of Joseph T. H. Hall, deceased, of Washington, D. C., the sum of \$8,664.19, without interest, in payment of the amount found due Joseph T. H. Hall by the judgment of the Court of Claims under date of June 22, 1895, under the provisions of the act of Congress approved February 13, 1895, entitled 'An act to amend an act entitled 'An act to provide for the settlement of all outstanding claims against the District of Columbia and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes,' approved June 16, 1890,' one half of the said sum to be paid out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia."

Page 30, after line 14, insert: "To the legal representatives of the estate of Leo L. Johnson, deceased, late of Scott County, Ky., the sum of \$37,351.49, for the net proceeds of 461 hogsheads of sugar taken by the military authorities of the United States and the proceeds covered into the Treasury, as found by the Court of Claims."

Page 30, after line 14, insert: "To the heirs at law of Sarah J. Montgomery, late of Madison Parish, State of Louisiana, the sum of \$18,769.50, in full payment of the amount found due by the Court of Claims in the case of William J. Hill against the United States, No. 2548."

Page 30, after line 14, insert: "To Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased, or to his legal representatives, the sum of \$14,582.04, the same to be taken and accepted as a full and final release and discharge of his claim against the United States, as found by the Court of Claims under the act approved March 12, 1863."

Page 30, after line 14, insert:

"FRENCH SPOILIATION CLAIMS.

"To pay the findings of the Court of Claims on the following claims for indemnity for spoiliations by the French prior to July 30, 1801, under the act entitled 'An act to provide for the ascertainment of claims of American citizens for spoiliations committed by the French prior to the 31st day of July, 1801:' Provided, That in all cases where the original sufferers were adjudicated bankrupts the awards shall be made on behalf of the next of kin instead of to assignees in bankruptcy, and the awards in the cases of individual claimants shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that the personal representatives on whose behalf the award is made represent the next of kin, and the courts which granted the administrations, respectively, shall have certified that the legal representatives have given adequate security for the legal disbursement of the awards, namely:

"On the vessel sloop Cygnet, James Hunt, master, namely:
"John C. Hollister, administrator of Frederick Hunt, \$813.50.
"John C. Hollister, administrator of John Hunt, \$813.50.
"John C. Hollister, administrator of Jesse Hunt, \$813.50.
"On the vessel brig Louisa, Benjamin Wheeler, master, namely:
"Charles R. Street, administrator of Richard Hubbell, jr., \$837.90.
"Richard Hubbell, administrator of Richard Hubbell, sr., \$837.90.
"Fenelon Hubbell, administrator of Benjamin Wheeler, \$3,143.30.
"Louisa A. Starkweather, administratrix of R. S. Hallett, \$292.50.
"Walter Bowne, administrator of Walter Bowne, \$292.50.
"Leopold Mark, administrator of Louis Mark, \$487.50.
"On the vessel brig Mercury, George Lee, master, namely:
"Thomas S. Rhett and Henrietta Troup, administrators of the estate of Henry Troup, deceased, \$1,562.59.
"William N. Marye, administrator of the estate of Richard Gittings, deceased, \$1,562.59.

"On the vessel schooner Betsy and Lucy, Joseph Crown, master, namely:

"Joseph W. Thompson, administrator of the estate of David Coffin, deceased, \$3,866.

"On the vessel schooner Friendship, Samuel Moulton, master, namely:

"Edward O. Emerson, administrator of Edward Emerson, jr., \$4,093.60.

"Robert Codman, administrator of William Gray, \$4,020.

"On the vessel ship James and William, Nicholas Monnycott, master, namely:

"A. P. Warrington, administrator of John Cowper, surviving partner of John Cowper & Co., \$5,922.

"John Stewart, administrator of William P. Stewart, surviving partner of David Stewart & Sons, \$6,452.50.

"Alexander Prouditt, administrator of John Prouditt, \$6,452.50.

"On the vessel schooner George and Jane, Clark Elliott, master, namely:

"John C. Hollister, administrator of Russell Tomlinson, deceased, \$1,180.95.

"John C. Hollister, administrator of Liberty Kimberly, deceased, \$424.31.

"John C. Hollister, administrator of Samuel Hull, deceased, \$117.83.
 "John C. Hollister, administrator of Abijah Hull, deceased, \$117.83.
 "John F. Plumb, administrator of John Humphreys, deceased, \$177.32.
 "Seth P. Snow, administrator of Crowell Hatch, deceased, \$700.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, deceased, \$1,000.
 "John C. Hollister, administrator of William Mansfield, deceased, \$117.83.
 "On the vessel brig Patty, Josiah Hempstead, master, namely:
 "George G. Sill, administrator de bonis non of Justus Riley, deceased, \$15,512.75.
 "George G. Sill, administrator de bonis non of Josiah Hempstead, deceased, \$1,567.50.
 "On the vessel schooner Sally, Jacob Osgood, master, namely:
 "Jeremiah Nelson, administrator of Jeremiah Nelson, \$3,806.82.
 "Joseph L. Wheelwright, administrator of Moses Savory, \$3,806.81.
 "On the vessel brig Happy Return, Ezekiel Durfee, master, namely:
 "William O. Gladding, second administrator of Simeon Martin, deceased, \$18,311.
 "On the vessel sloop Polly, William D. Wilson, master, namely:
 "Ann Elizabeth Marshall, administratrix of William Robb, \$2,378.23.
 "On the vessel schooner Midget, Lewis Hudgins, master, namely:
 "F. G. James, administrator of Joseph Brickell, \$1,180.45.
 "On the vessel schooner Nymph, Thomas Corbett, master, namely:
 "Gordon Gairdner, administrator of the estate of James Gairdner, surviving partner of the firm of James and Edwin Gairdner & Co., \$4,819.74.
 "On the vessel brig Two Sisters, William Worth, master, namely:
 "Charles U. Cotting, administrator of John F. Loring, deceased, \$2,193.
 "Charles U. Cotting, administrator of Joshua Loring, deceased, \$2,193.
 "On the vessel brig Industry, William Massey, master, namely:
 "Anna E. Taylor and David Stewart, administrators of Joseph Massey, \$8,442.05.
 "Herman Stump, administrator of John Stump, \$2,015.
 "On the vessel ship Rainbow, William Smith, master, namely:
 "Henry E. Young, administrator of John Geyer, \$12,210.
 "On the vessel brig Favorite, Thomas McConnell, master, namely:
 "George M. Gill, administrator of Gabriel Wood, \$3,614.
 "On the vessel sloop Despatch, Elias Hulen, master, namely:
 "John S. Martin, administrator of John Sparhawk, deceased, \$1,170.
 "On the vessel sloop Lucy, George Gilbert, master, namely:
 "Charles M. Clarke, administrator of Benjamin Snow, \$1,873.
 "Isaac R. Barbour, administrator of Samuel Woodbridge, \$1,873.
 "John K. Myers, administrator of Nathaniel Eaton, \$6,747.45.
 "On the vessel schooner Ulalia, James Clifton, master, namely:
 "Sarah E. Conover, administratrix de bonis non of John Reed, deceased, surviving partner of the firm of Reed & Forde, \$2,244.
 "On the vessel brig Betsey, Alexander C. Atwood, master, namely:
 "Samuel A. Fowle, administrator of George Makepeace, \$694.28.
 "H. Hollis Hunnewell, administrator of Arnold Welles, \$239.10.
 "William Ropes Trask, administrator of Thomas Amory, \$478.20.
 "William G. Perry, administrator of Nicholas Gilman, \$478.20.
 "John O. Shaw, administrator of Josiah Knapp, \$239.10.
 "H. Hollis Hunnewell, executor of John Welles, \$239.10.
 "H. Burr Crandall, administrator of Thomas Cushing, \$159.40.
 "On the vessel brigantine Nancy, John Moulton, master, namely:
 "Benjamin F. Widden, administrator of Benjamin Boardman, deceased, \$1,606.34.
 "Henry P. Moulton, administrator of John Moulton, deceased, \$757.11.
 "Harry V. Moore, administrator of William Boardman, deceased, \$2,546.45.
 "Robert Codman, administrator of William Gray, jr., deceased, \$2,800.
 "Charles W. Robinson, administrator of Reuben Shapley, deceased, \$300.
 "William A. Hayes, second administrator of Nathaniel A. Haven, deceased, \$300.
 "George W. Haven, administrator of John Haven, deceased, \$300.
 "Francis A. Jewett, administrator of James Prince, deceased, \$300.
 "On the vessel schooner Polly, John Allen, master, namely:
 "Samuel D. Wyman, administrator of Rugless Cunningham, deceased, \$3,366.70.
 "Atwood S. Foster, administrator of William Cunningham, deceased, \$3,366.70.
 "Henry Ingalls, administrator of William Melcher, deceased, \$1,262.51.
 "Thomas J. York, administrator of Nathaniel Bryant, deceased, \$874.19.
 "Frank Dabney, administrator of Samuel Wylls Pomeroy, deceased, \$700.
 "Thomas N. Perkins, administrator of John C. Jones, deceased, \$800.
 "On the vessel schooner Success, Jonathan Glover, master, namely:
 "John P. Glover, administrator of the estate of Jonathan Glover, jr., \$433.32.
 "James P. Safford, administrator of Ebenezer Safford, \$473.32.
 "Henry R. Wight, administrator of Henry Reed, \$473.32.
 "Shepard D. Gilbert, administrator of Gifford Crowninshield, \$300.
 "On the vessel ship Active, Samuel Whitehouse, master, namely:
 "Samuel F. Coffin and Ida C. Lunt, administrators de bonis non of the estate of Samuel Coffin, deceased, \$11,000.
 "On the vessel schooner Sally, Robert Atkins, master, namely:
 "James H. Varney, administrator of William Sproul, \$1,098.
 "James H. Varney, administrator of Michael Jones, \$1,098.
 "Arthur C. Child, administrator of John McKown, \$1,098.
 "Albion G. Huston, administrator of Henry Fossett, \$1,098.
 "James E. Young, administrator of Alexander Young, \$1,098.
 "On the vessel brig Dispatch, Thomas Lunt, master, namely:
 "James De Normandie, administrator de bonis non of Thomas Lunt, \$2,435.
 "George W. Ham, administrator of the estate of William Ham, deceased, \$2,435.
 "Frederick P. Jones, administrator de bonis non of Martin Parry, deceased, \$2,075.
 "On the vessel schooner Resolution, John Crandon, master, namely:
 "Isaac Brewster, administrator of Daniel Jackson, surviving partner of the firm of Daniel & Charles Jackson, \$1,726.27.
 "On the vessel schooner John Eason, John Cowper, master, namely:
 "A. P. Warrington, administrator of John Cowper, \$1,161.85.

"Benjamin M. Hartshorne and Charles N. Black, executors of Richard Hartshorne, \$1,000.
 "Richard Delafield, administrator of John Delafield, \$500.
 "On the vessel ship Glasgow, M. Alcorn, master, namely:
 "Horace E. Hayden, administrator de bonis non of the estate of David H. Conyngham, surviving partner of Conyngham, Nesbitt & Co., \$2,967.28.
 "The city of Philadelphia, administrator de bonis non of Stephen Girard, \$294.
 "C. D. Vasse, administrator of Ambrose Vasse, \$784.
 "William D. Squires, administrator of Henry Pratt, surviving partner of the firm of Pratt & Kintzing, \$784.
 "Craig D. Ritchie, administrator of Joseph Summerl, surviving partner of the firm of Summerl & Brown, \$400.
 "Francis D. Pemberton, administrator of John Clifford, surviving partner of the firm of Thomas & John Clifford, \$294.
 "On the vessel sloop Friendship, Henry Brookins, master, namely:
 "John King, administrator of John Peterson, \$658.45.
 "David C. Percy, administrator of Charles Peterson, \$658.45.
 "Jarvis Patten, administrator of Robert Patten, \$476.22.
 "Thomas N. Perkins, administrator of John C. Jones, \$500.
 "William S. Carter, administrator of William Smith, \$800.
 "Frank Dabney, administrator of Samuel W. Pomeroy, \$500.
 "Lucy S. Cushing, administratrix of Jacob Sheafe, \$300.
 "On the vessel schooner John, Edmund Lewis, master, namely:
 "William L. Mauldin, administrator of John F. Kern, \$1,474.
 "Abby A. Lewis, administratrix of Edmund Lewis, \$1,166.
 "On the vessel brig Polly, Russell Doan, master, namely:
 "Chauncey Buckley, administrator of Chauncey Buckley, \$1,503.25.
 "Charles A. Jarvis, administrator of Russell Doan, \$1,503.25.
 "On the vessel sloop Hope, Ezra Merrill, master, namely:
 "David Stewart, administrator of George Sears, \$330.
 "Lemuel P. Townsend, administrator of Jacob Adams, \$330.
 "Ferdinand C. Latrobe, receiver of the estate of Aquila Brown, John Sherlock, and George Grundy, \$5,880.
 "On the vessel brig Polly, Elisha Caswell, master, namely:
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$600.
 "H. Walter Hunnewell, administrator of John Welles, \$400.
 "On the vessel schooner Industry, William Riddle, master, namely:
 "Nathan Matthews, administrator of Daniel Sargent, \$460.32.
 "John W. Apthorp, administrator of Caleb Hopkins, \$657.60.
 "Hersey B. Goodwin, administrator of William Mackay, \$263.04.
 "Edward I. Browne, administrator of Israel Thorndike, \$328.80.
 "William S. Carter, administrator of William Smith, \$657.60.
 "Henry B. Cabot, administrator of D. D. Rogers, \$328.80.
 "David G. Haskins, jr., administrator of David Greene, \$657.60.
 "William G. Perry, executor of Nicholas Gilman, \$986.40.
 "A. P. Loring, administrator of William Boardman, \$328.80.
 "Alexander H. Ladd, administrator of Eliphalet Ladd, \$657.60.
 "James E. Tisdale, administrator of James Tisdale, \$328.80.
 "William P. Dexter, administrator of Samuel Dexter, \$306.44.
 "James S. English, administrator of Thomas English, \$197.28.
 "On the vessel sloop Industry, James Parsons, master, namely:
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$125.
 "Seth P. Snow, administrator of Crowell Hatch, \$125.
 "On the vessel schooner Eagle, Thomas Gray, master, namely:
 "Thomas N. Perkins, administrator of John C. Jones, \$1,000.
 "John H. Moriarity, administrator of James Scott, \$1,000.
 "Francis M. Boutwell, administrator of John McLean, \$1,000.
 "Seth P. Snow, administrator of Crowell Hatch, \$1,000.
 "Francis M. Boutwell, administrator of Benjamin Cobb, jr., \$1,000.
 "William P. Dexter, administrator of Samuel Dexter, jr., \$500.
 "Frederick O. Prince, administrator of James Prince, \$500.
 "Charles A. Welch, administrator of William Stackpole, \$500.
 "On the vessel schooner Juno, Jonathan Thompson, master, namely:
 "Louisa A. Starkweather, administratrix of Richard S. Hallett, deceased, \$700.
 "Walter Bowne, administrator of Walter Bowne, deceased, \$500.
 "On the vessel brig Success, Robert Clark, master, namely:
 "John J. Helm and William W. Vasse, administrators of Ambrose Vasse, \$392.
 "William D. Squires, administrator of Henry Pratt, surviving partner of Pratt & Kintzing, \$392.
 "Crawford Dawes Hening, administrator of Abijah Dawes, \$294.
 "George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, \$392.
 "Lorin Blodgett, administrator of Samuel Blodgett, \$294.
 "On the pilot boat Zephyr, Edward Hansford, master, namely:
 "M. H. Messchert, administrator of Jacob Gerard Koch, \$2,450.
 "C. D. Vasse, administrator of Ambrose Vasse, \$980.
 "William D. Squires, administrator of Henry Pratt, \$980.
 "George Harrison Fisher, administrator of Jacob Ridgway, \$784.
 "Francis A. Lewis, administrator of John Miller, jr., \$784.
 "Robert W. Smith, administrator of Robert Smith, \$784.
 "Sara Leaming, administratrix of Thomas Murgatroyd, \$980.
 "Francis A. Lewis, administrator of Peter Blight, \$980.
 "J. Bayard Henry, administrator of Charles Ross, \$490.
 "J. Bayard Henry, administrator of John Simson, \$490.
 "Charles Prager, administrator of Mark Prager, \$338.13.
 "George Albert Smyth, administrator of Jacob Baker, \$338.13.
 "J. Bayard Henry, administrator of John Leamy, \$588.
 "On the vessel schooner William, Nathaniel Curtis, jr., master, namely:
 "Arthur T. Lyman, administrator of Theodore Lyman, \$1,000.
 "Chandler Robbins, administrator of Joseph Russell, survivor of Jeffrey & Russell, \$1,000.
 "Thomas H. Perkins, administrator of John C. Jones, \$1,000.
 "James C. Davis, administrator of Cornelius Durant, \$1,000.
 "Robert Grant, administrator of William H. Boardman, \$500.
 "Arthur D. Hill, administrator of Benjamin Homer, \$500.
 "Francis M. Boutwell, administrator of John McLean, \$500.
 "D. D. Slade, administrator of Daniel Dennison Rogers, \$500.
 "On the vessel schooner Conrad, John Osborn, master, namely:
 "David Stewart, administrator of Paul Bentalou, \$1,241.17.
 "Cumberland Dugan, administrator of Cumberland Dugan, \$947.17.
 "Nathaniel Morton, administrator of Nathaniel Morton, surviving partner of the firm of Bedford & Morton, \$947.17.
 "Elizabeth Montell, administratrix of Robert McKim, \$947.17.
 "J. Savage Williams, administrator of Samuel Williams, \$473.59.
 "Anthony Groverman, administrator of Anthony Groverman, surviving partner of the firm of D. Wehagen & Groverman, \$947.17.
 "W. Hall Harris, administrator of William Patterson, \$947.17.
 "David Stewart, administrator of E. C. Boislandry, \$767.58.

"William H. Burne, administrator of Frederick H. Burne, surviving partner of the firm of Anspach & Burne, successors of the firm of Von Kopf & Anspach, \$473.50.

"Louisa T. Carroll, administratrix of William Van Wyck, \$1,241.17.

"Charles J. Bonaparte, administrator of Benjamin Williams, \$947.17.

"Mary Jane and James Thurston, administrators of John Hollins, \$947.17.

"David Stewart, administrator of James Clarke, \$1,470.

"Robert Shriver, administrator of Isaac Causten, assignee of John Hillen, \$767.58.

"Anthony Groverman, administrator of Joseph Calman, surviving partner of Joseph Calman & Co., \$947.17.

"Robert Shriver, administrator of Isaac Causten, \$767.58.

"On the vessel schooner Three Joseps, William West, master, namely:

"Manuel E. Griffith and Russell Thayer, administrators of Robert E. Griffith, surviving partner of the firm of Philip Nicklin & Co., \$494.70.

"M. H. Messchert, administrator of Jacob Gerard Koch, \$1,113.10.

"Crawford Dawes Henning, administrator of Abijah Dawes, \$494.70.

"Louis C. Vanuxem, administrator of James Vanuxem, \$412.25.

"Francis A. Lewis, administrator of Peter Blight, \$412.25.

"J. Bayard Henry, administrator of Charles Ross and John Simpson, composing the firm of Ross & Simpson, \$412.25.

"Sarah A. Leaming, administratrix of Thomas Murgatroyd, \$659.60.

"D. Fitzhugh Savage, administrator of John Savage, \$659.60.

"The city of Philadelphia, administrator of Stephen Girard, \$494.70.

"On the vessel brig Betsey, John Choate, master, namely:

"Robert Codman, administrator of William Gray, \$1,000.

"William S. Carter, administrator of William Smith, \$500.

"William Ropes Trask, administrator of Thomas Amory, \$500.

"John Lowell, jr., administrator of Tuthill Hubbard, \$500.

"Thomas N. Perkins, administrator of John C. Jones, \$500.

"William G. Perry, executor of Nicholas Gilman, \$500.

"Lawrence Bond, administrator of Nathan Bond, \$500.

"George G. King, administrator of James Scott, \$500.

"On the vessel brig William and George, Josiah Benton, master, namely:

"Edwin C. Ward, administrator of Gad Cowles, surviving partner of the firm of Elijah Cowles & Co., \$4,784.54.

"Edwin C. Ward, administrator of Chauncey Deming, surviving partner of the firm of John and Chauncey Deming, \$4,617.54.

"Edwin C. Ward, administrator of Chauncey Gleason, \$1,388.13.

"Florence C. Esselstyn, administratrix of Elias Cowles, \$1,388.13.

"George G. Sill, administrator of Josiah Benton, \$1,660.83.

"On the vessel ship Briscis, James Breath, master, namely:

"John L. Rutgers, surviving executor of the last will and testament of Nicholas G. Rutgers, survivor of the firm of Rutgers, Seaman & Ogden, deceased, \$11,652.64.

"Benjamin M. Hartshorn and Charles M. Black, executors of the estate of Richard Hartshorn, surviving partner of the firm of Rhinelander, Hartshorn & Co., \$2,450.

"On the vessel brigantine Betsey, Thomas McCray, master, namely:

"John W. Anderson, administrator of the estate of John Anderson, deceased, \$4,726.50.

"On the vessel brig Industry, J. Lambert, master, namely:

"Richard M. Bradley, administrator of the estate of Daniel Merry, deceased, \$4,986.10.

"On the vessel brig Olive Branch, Jonathan Moulton, master, namely:

"Simon Davis, administrator of Elias Hunt, deceased, \$6,988.16.

"Henry T. Holmes, administrator of Zebedee Hunt, deceased, \$6,988.16.

"On the vessel schooner Ardent, George Lee, master, namely:

"William D. Lee, Thomas D. Lee, Henry A. Lee, Joseph A. Lee, and Virginia Waters, administrators of William Duncan, \$5,403.54.

"On the vessel ship Washington, Aaron Foster, master, namely:

"Herman Stump, administrator of James Biays, \$2,584.08.

"Cumberland D. Hollins, administrator of John Hollins, \$9,476.94.

"Robert Gilmer, administrator of Robert Gilmer, \$3,367.04.

"Robert Gilmer, administrator of William Bingham, \$3,367.04.

"Thomas J. Wilson, administrator of William Wilson, surviving partner of Wilson & Maris, \$2,115.49.

"Cumberland D. Hollins, administrator of William Hollins, \$1,839.70.

"Susan Ludlow Warren, administratrix of Daniel Ludlow, \$980.

"Bayard Tuckerman, administrator of Walter Channing, surviving partner of Gibbs & Channing, \$980.

"Henry E. Young, administrator of William Craig, surviving partner of Henry Sadler & Co., \$490.

"Lucy Franklin Read McDonnell, executrix, and so forth, of George Pollock, surviving partner of Yates & Pollock, \$980.

"John L. Rutgers, surviving executor, and so forth, of Nicholas G. Rutgers, surviving partner of Benjamin Seaman & Co., \$980.

"George F. Scriba, administrator of George Scriba, surviving partner of Scriba & Henderson, \$490.

"Richard Delafield, administrator of John Delafield, \$294.

"On the vessel brig Patriot, Richard Bishop, master, namely:

"Walter De C. Poulney, administrator of Abraham Falconer, \$273.50.

"Nathaniel Morton, administrator of Nathaniel Morton, \$273.50.

"Mary T. Latrobe, administratrix of Thomas Tenant, \$921.14.

"On the vessel brig Pomona, Reuben Coffin, master, namely:

"Sallie M. Buchanan and Josias Pennington, administrators of Andrew Buchanan, \$1,871.76.

"On the vessel schooner Tabitha, Daniel Gould, master, namely:

"David Pingree, administrator of Thomas Perkins, deceased, \$922.22.

"George G. King, administrator of James Scott, deceased, \$166.65.

"On the vessel ship Seymour, Paul Gould, master, namely:

"Rebecca Snowden Marshall and Charles Marshall, administrators of Jonathan Hudson, deceased, surviving partner of the firm of Holmes, Hudson & Co., \$26,571.89.

"On the vessel schooner Felicity, William Story, master, namely:

"Anne T. Floyd and David Stewart, administratrix and administrator of Isaac Smith, surviving partner of the firm of Thoroughgood & Isaac Smith, \$17,058.

"On the vessel brig Mehitabel, William Orne, master, namely:

"Jane S. Gerrish, administratrix of Edward Toppan, deceased, \$267.

"Eben F. Stone, administrator of Nathan Hoyt, deceased, \$267.

"Eben F. Stone, administrator of Jonathan Coolidge, deceased, \$267.

"On the vessel schooner Molly, John Millett, master, namely:

"Edmund D. Codman, administrator of William Gray, jr., \$871.64.

"On the vessel schooner Polly, John Drummond, master, namely:

"John King, administrator of John Peterson, \$882.11.

"Nathan Matthews, jr., administrator of Daniel Sargent, \$156.85.

"Charles F. Hunt, administrator of Joseph Russell, \$89.

"Francis M. Boutwell, administrator of John McLean, \$89.

"Augustus P. Loring, administrator of William H. Boardman, \$156.85.

"Francis M. Boutwell, administrator of Charles Sigourney, \$156.85.

"A. L. Huntington, administrator of James Dunlap, \$156.85.

"William Ropes Trask, administrator of Thomas Amory, \$89.

"Frank Dabney, administrator of Samuel W. Pomeroy, \$89.

"On the vessel brig Polly, Joseph Edes, master, namely:

"A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$96.

"Seth P. Snow, administrator of Crowell Hatch, \$96.

"On the vessel sloop Hawk, Holden Langford, master, namely:

"James Burdick, administrator of Thomas Lloyd Halsey, deceased, \$224.

"On the vessel brig Resolution, Alpheus Billings, master, namely:

"Linus J. Hayes, administrator of Alpheus Billings, deceased, \$4,942.26.

"On the vessel brig Pilgrim, John Thissel, master, namely:

"Shearjashub Bourne, administrator of Shearjashub Bourne, deceased, \$130.

"Stephen F. Peckham, administrator of Samuel Wardwell, deceased, \$130.

"On the vessel brigantine Speedwell, James Crawford, master, namely:

"I. P. Starrett, administrator of James Crawford, \$2,205.44.

"I. P. Starrett, administrator of John Spear, \$2,533.45.

"I. P. Starrett, administrator of Thomas Starrett, \$2,533.45.

"William G. Perry, executor of Nicholas Gilman, \$400.

"On the vessel brig Maria, Edward Watts, master, namely:

"J. Hamilton Shapley, administrator of James Shapley, \$454.83.

"James W. Emery, administrator of Peter Wilson, \$454.83.

"Anna Lowe Grosvenor, administratrix of Joseph Lowe, \$1,364.50.

"Walter L. Dane, administrator of Thomas Leigh, \$1,364.50.

"On the vessel brigantine Nancy, James Brown, master, namely:

"Ellen B. Cameron, surviving administratrix of Lemuel Bishop, \$5,171.91.

"On the vessel sloop Venus, Comfort Bird, master, namely:

"A. Sterling Pennington, administrator of Nicholas G. Ridgely, \$619.92.

"David Stewart, administrator of Jonas Mareau, \$619.92.

"On the vessel schooner Thomas, Joseph Sanford, master, namely:

"Elizabeth W. Smith, administratrix de bonis non cum testamento annexo of Joseph Dean, deceased, \$2,428.21.

"On the vessel schooner Olive, Nathaniel Treadwell, master, namely:

"J. Stewart Rice, administrator of the estate of Samuel Swett, deceased, \$1,014.41.

"Francis A. Jewett, administrator of James Prince, deceased, \$175.

"Annie A. Kemble, administratrix of Edmund Kemble, \$75.

"Thomas H. Perkins, administrator of the estate of John C. Jones, \$600.

"John Lowell, administrator of Tuthill Hubbard, deceased, \$700.

"William C. Carter, administrator of William Smith, deceased, \$1,000.

"Seth P. Snow, administrator of the estate of Crowell Hatch, deceased, \$700.

"Joseph A. Titcomb, administrator of John Wells, deceased, \$200.

"On the vessel brig Juno, Joseph Smith, master, namely:

"George R. Shepherd, administrator of Jesse Peck, \$3,264.27.

"Harriet E. Sebor, administratrix of Jacob Sebor, \$500.

"Walter Bowne, administrator of Walter Bowne, \$1,000.

"On the vessel schooner Betsey and Patsey, James Curtis, master, namely:

"David Stewart, administrator of the estate of Francis Jonhnet, surviving partner, for and on behalf of the firm of Francis Jonhnet & Co., \$6,768.22.

"On the vessel schooner Polly, Richard Lakeman, master, namely:

"Mary H. Plumer, administratrix of Samuel Newman, deceased, \$337.

"Nathaniel N. Jones, administrator of Amos Pearson, \$168.50.

"Edmund D. Codman, administrator of William Gray, jr., \$1,290.

"On the vessel brig William, Thomas Farnham, master, namely:

"John Richards, administrator of William Foster, \$9,050.38.

"On the vessel sloop Charlotte, Joseph Ingham, master, namely:

"Benjamin Hartshorne, executor of Richard Hartshorne, surviving partner of the firm of Rhinelander, Hartshorne & Co., \$1,960.

"On the vessel brig William, Joseph Thompson, master, namely:

"George P. Marvin, administrator of Stephen Alling, deceased, \$3,241.75.

"George P. Marvin, administrator of Joseph T. Thompson, deceased, \$3,241.75.

"Charles F. Adams, administrator of Peter C. Brooks, deceased, \$1,674.30.

"Thomas H. Perkins, administrator of John C. Jones, deceased, \$837.14.

"A. Lawrence Lowell, administrator of Nathaniel Fellowes, deceased, \$837.14.

"Frank Dabney, administrator of Samuel W. Pomeroy, deceased, \$837.14.

"Francis M. Boutwell, administrator of Benjamin Cobb, deceased, \$837.14.

"Seth P. Snow, administrator of Crowell Hatch, deceased, \$837.14.

"On the vessel schooner Variety, Micah Dyer, master, namely:

"Benjamin F. Delano, administrator of Samuel Delano, \$5,573.

"Thomas Cushing, administrator of Marston Watson, \$1,079.50.

"John W. Apthorp, administrator of Caleb Hopkins, \$1,079.50.

"Charles A. Welch, administrator of William Stackpole, \$539.75.

"A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$1,079.50.

"John Lowell, jr., administrator of Tuthill Hubbard, \$1,079.50.

"Augustus P. Loring, administrator of William Boardman, \$539.75.

"William G. Perry, administrator of Nicholas Gilman, \$1,079.50.

"On the vessel brig Apollo, John Ring, master, namely:

"William T. Morrill, administrator of William Sawyer, \$5,217.09.

"A. M. Spear, administrator of John O. Page, \$1,719.95.

"Thomas N. Perkins, administrator of John C. Jones, \$600.

"On the vessel schooner Active, Samuel Pote, master, namely:

"Edward S. Merrill, administrator of Joshua Merrill, deceased, \$4,533.

"On the vessel schooner Nancy, William Ward, master, namely:

"William S. Carter, administrator of William Smith, \$2,523.50.

"William G. Perry, administrator of Nicholas Gilman, \$598.24.

"George G. King, administrator of James Scott, \$239.30.

"Frank Dabney, administrator of Samuel W. Pomeroy, \$906.85.

"Archibald M. Howe, administrator of Francis Greene, \$398.83.

"Lucy S. Cushing, administrator of Jacob Sheafe, \$215.37.

"Charles F. Adams, administrator of Peter C. Brooks, \$6,317.55.

- "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$1,234.47.
 "Francis M. Boutwell, administrator of Benjamin Clark, \$808.61.
 "Thomas N. Perkins, administrator of John C. Jones, \$370.34.
 "Frederick O. Prince, administrator of James Prince, \$308.61.
 "William P. Dexter, administrator of Samuel Dexter, \$308.61.
 "H. H. Hunnewell, administrator of John Wells, \$617.23.
 "Robert Codman, administrator of William Gray, \$617.23.
 "On the vessel schooner Lucy, Matthias Rider, master, namely:
 "Charles Francis Adams, administrator of Peter C. Brooks, \$516.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$132.
 "Seth P. Snow, administrator of Crowell Hatch, \$132.
 "On the vessel schooner Maria, Thomas Gardiner, master, namely:
 "Charles Francis Adams, administrator of Peter C. Brooks, \$1,000.
 "George G. King, administrator of Crowell Hatch, \$500.
 "On the vessel schooner Lucy, Henry Brightman, master, namely:
 "Seth P. Snow, administrator of Crowell Hatch, \$1,000.
 "David Greene Haskins, jr., administrator of David Greene, \$1,000.
 "William S. Carter, administrator of William Smith, \$1,000.
 "Charles F. Hunt, administrator of Joseph Russell, \$1,000.
 "John Lowell, jr., administrator of Tuthill Hubbard, \$1,000.
 "Frederick O. Prince, administrator of James Prince, \$500.
 "William P. Dexter, administrator of Samuel Dexter, \$500.
 "Francis M. Boutwell, administrator of Charles Sigourney, \$500.
 "Thomas N. Perkins, administrator of John C. Jones, \$500.
 "Francis M. Boutwell, administrator of John McLean, \$700.
 "Nathan Matthews, jr., administrator of Daniel Sargent, \$400.
 "Arthur D. Hill, administrator of Benjamin Homer, \$400.
 "Archibald M. Howe, administrator of Francis Greene, \$500.
 "Charles A. Welch, administrator of William Stackpole, \$400.
 "James S. English, administrator of Thomas English, \$400.
 "Arthur L. Huntington, administrator of James Dunlap, \$500.
 "Francis M. Boutwell, administrator of Benjamin Cobb, jr., \$400.
 "George G. King, administrator of James Scott, \$500.
 "Lucy S. Cushing, administratrix of Jacob Sheafe, \$500.
 "Charles K. Cobb, administrator of John Codman, \$500.
 "Charles F. Adams, administrator of Peter C. Brooks, \$375.
 "On the vessel schooner John, David Lufkin, master, namely:
 "George G. King, administrator of Crowell Hatch, \$793.65.
 "Charles F. Adams, administrator of Peter C. Brooks, \$2,619.05.
 "Thomas N. Perkins, administrator of John C. Jones, \$793.65.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$793.65.
 "On the vessel schooner Redress, John Grozier, master, namely:
 "George Dennie, executor of Thomas Dennie, \$1,797.
 "Charles F. Adams, administrator of Peter C. Brooks, \$5,900.
 "John Morton Clinch, administrator of Perez Morton, \$500.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$800.
 "Seth P. Snow, administrator of Crowell Hatch, \$800.
 "On the vessel brig Nathaniel, David Young, master, namely:
 "Moses Howe, administrator of Moses Gale, deceased, \$3,600.
 "Charles F. Adams, administrator of Peter C. Brooks, deceased, \$3,950.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, deceased, \$475.
 "Seth P. Snow, administrator of Crowell Hatch, deceased, \$475.
 "On the vessel schooner Nancy, Thomas Hadaway, master, namely:
 "Francis M. Boutwell, administrator of Mungo Mackay, deceased, \$4,288.
 "Charles Francis Adams, administrator of Peter C. Brooks, \$4,000.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$1,500.
 "William Vernon, administrator of Samuel Brown, \$1,500.
 "Henry Parkman, administrator of John Duballet, \$500.
 "Francis M. Boutwell, administrator of Benjamin Cobb, \$500.
 "Charles A. Welch, administrator of William Stackpole, \$500.
 "William G. Perry, administrator of Nicholas Gilman, \$1,000.
 "Augustus P. Loring, administrator of William H. Boardman, \$400.
 "H. Burr Crandall, administrator of Thomas Cushing, \$200.
 "Lawrence Bond, administrator of Nathan Bond, \$400.
 "Thomas Cushing, administrator of Marston Watson, \$1,000.
 "H. H. Hunnewell, administrator of Arnold Welles, jr., \$400.
 "Charles K. Cobb, administrator of John Codman, \$500.
 "Frank Dabney, administrator of Samuel W. Pomeroy, \$500.
 "George G. King, administrator of Crowell Hatch, \$1,000.
 "On the vessel schooner Polly, John Perkins, jr., master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$577.34.
 "William Vernon, administrator of Samuel Brown, \$384.89.
 "Albert M. Welch, administrator of Thomas Perkins, \$112.14.
 "Albert M. Welch, administrator of Samuel Bourne, \$312.13.
 "Chase B. Perkins, administrator of John Perkins, \$724.39.
 "Nathaniel P. Hamlin, administrator of Thomas Perkins, \$240.56.
 "Augustus P. Loring, administrator of William Boardman, \$192.44.
 "William G. Perry, administrator of Nicholas Gilman, \$192.44.
 "Walter Hunnewell, administrator of Arnold Welles, jr., \$144.33.
 "On the vessel sloop Cato, William Wyman, master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$677.50.
 "George G. King, administrator of Crowell Hatch, \$1,092.84.
 "Thomas N. Perkins, administrator of John C. Jones, \$415.34.
 "George G. King, administrator of James Scott, \$415.33.
 "David G. Haskins, administrator of David Greene, \$415.33.
 "Francis M. Boutwell, administrator of Benjamin Cobb, \$249.20.
 "William S. Carter, administrator of William Smith, \$400.
 "Simeon Jaseph, administrator of Levi Lane, \$879.25.
 "On the vessel schooner Venus, Benjamin Hutchings, master, namely:
 "Charles Francis Adams, administrator of Peter C. Brooks, \$3,200.
 "Frederick O. Prince, administrator of James Prince, \$500.
 "William P. Dexter, administrator of Samuel Dexter, \$500.
 "Thomas N. Perkins, administrator of John C. Jones, \$1,000.
 "On the vessel brig Eliza, Daniel Seymour, master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$1,500.
 "George G. King, administrator of James Tisdale, \$500.
 "Seth P. Snow, administrator of Crowell Hatch, \$500.
 "On the vessel brig Leonard, Samuel C. Hills, master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$1,200.
 "On the vessel schooner Washington, Henry Chichester, master, namely:
 "George B. St. John and Jarvis Kellogg, administrators of James Selleck, \$2,415.34.
 "George B. St. John, administrator of Eliphalet Lockwood, \$915.68.
 "George B. St. John, administrator of William Lockwood, \$2,415.34.
 "Louisa Starkweather, administrator of Richard S. Hallett, \$600.
 "Walter Bowne, administrator of Walter Bowne, \$200.
 "Leopold Mark, administrator of Louis Mark, \$266.66.
 "On the vessel brig Orion, Frederick Hopkins, master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$6,999.39.
 "A. Lawrence Lowell, administrator of Nathaniel Fellowes, \$956.86.
 "Thomas N. Perkins, administrator of John C. Jones, \$956.86.
 "Chandler Robbins, administrator of Joseph Russell, survivor of the firm of Jeffrey & Russell, \$956.86.
 "Francis M. Boutwell, administrator of Benjamin Cobb, \$478.42.
 "Seth P. Snow, administrator of Crowell Hatch, \$574.11.
 "John C. Hollister, administrator of Liberty Kimberly, \$489.13.
 "Maria L. Seymour, administratrix of Sheldon Curtis, \$429.29.
 "John F. Plumb, administrator of James Humphreys, \$1,173.10.
 "On the vessel brig Fly, James Merrihew, master, namely:
 "John A. McCarthy, administrator of James Barr, \$2,722.45.
 "John A. McCarthy, administrator of James Stuart, \$2,722.45.
 "On the vessel schooner Lucretia, William Young, master, namely:
 "Stuyvesant T. B. Jackson, administrator of Levi Cutter, deceased, \$1,975.
 "Mabel Sargent, administratrix of Jacob Mitchell, deceased, surviving partner of William Buxton and Jacob Mitchell, deceased, trading as Buxton & Mitchell, \$2,933.32.
 "Harry R. Virgin, administrator of Arthur McLellan, \$300.
 "John P. T. Ingraham, administrator of Joseph H. Ingraham, \$200.
 "On the vessel sloop Ralph, Moses Montague, master, namely:
 "Herman A. Whittlesey, administrator of Aaron Gaylord, \$2,884.36.
 "George G. Sill, administrator of Thomas Sanford, \$2,884.37.
 "John S. Gary, administrator of John Smith, \$2,884.37.
 "On the vessel schooner Hope, Ephraim Hutchins or Abel Nutt, master, namely:
 "Henry B. Reed, administrator of Andrew Frothingham, \$2,762.50.
 "Eliza F. Noyes, administratrix of Benjamin Frothingham, \$2,762.50.
 "Joseph A. Titcomb, administrator of John Wells, \$200.
 "Jeremiah Nelson, administrator of Jeremiah Nelson, \$200.
 "Francis A. Jewett, administrator of James Prince, \$1,000.
 "Amos Noyes, administrator of Zebedee Cook, \$200.
 "Amos Noyes, administrator of William Cook, \$100.
 "Charles F. Adams, administrator of Peter C. Brooks, \$2,000.
 "George G. King, administrator of Crowell Hatch, \$1,000.
 "On the vessel ship Tom, John Bailey, master, namely:
 "James S. English, administrator of Thomas English, \$4,059.
 "Francis M. Boutwell, administrator of Frederick and Thomas Geyer, \$2,921.75.
 "William B. Atkinson, administrator of William Bartlett, \$11,603.24.
 "Charles F. Hunt, administrator of Joseph Russell, surviving partner, \$400.
 "Frederick O. Prince, administrator of James Prince, \$202.89.
 "Gardner Dexter, administrator of Samuel Dexter, \$202.89.
 "Charles Francis Adams, administrator of Peter C. Brooks, \$3,754.92.
 "Thomas H. Perkins, administrator of John C. Jones, \$938.72.
 "Thomas Cushing, administrator of Marston Watson, \$1,408.10.
 "Frank Dabney, administrator of Samuel W. Pomeroy, \$938.72.
 "William Vernon, administrator of Samuel Brown, \$938.72.
 "William Sohler, administrator of Nathaniel Fellowes, \$1,408.10.
 "Joseph E. Richter, administratrix of John McClintock, \$119.
 "George F. Chace, administrator of Stephen Chace, \$119.
 "Theodore W. Woodman, administrator of John Rollins, \$119.
 "William H. Williams, administrator of Elijah Hall, \$178.50.
 "Alfred L. Elwyn, administrator of John Langdon, \$148.
 "Woodbury Langdon, administrator of Jacob Cutter, \$178.50.
 "J. Hamilton Shapley, administrator of James Shapley, \$119.
 "Woodward Emery, administrator of Thomas Manning, \$119.
 "J. Hamilton Shapley, administrator of Edward Cutts, \$119.
 "Edward P. Jones, administrator of Martin Parry, \$238.
 "George W. Haven, administrator of Moses Woodward, \$119.
 "John C. Ropes, administrator of Thomas Amory, \$966.40.
 "Frank Dabney, administrator of Samuel W. Pomeroy, \$930.70.
 "Robert Codman, administrator of William Gray, jr., \$1,431.16.
 "Horace B. Sargent, jr., administrator of Daniel Sargent, \$715.62.
 "Lucy S. Cushing, administratrix of Jacob Sheafe, \$357.78.
 "John H. Moriarty, administrator of James Scott, \$357.78.
 "John Morton Clinch, administrator of Perez Morton, \$715.62.
 "Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, \$715.62.
 "David Greene Haskins, jr., administrator of David Greene, \$715.62.
 "Charles K. Cobb, administrator of Stephen Codman, \$357.78.
 "Charles F. Hunt, administrator of Joseph Russell, surviving partner, \$715.62.
 "John Lowell, jr., administrator of Tuthill Hubbard, \$715.62.
 "Charles A. Welch, administrator of William Stackpole, \$357.78.
 "Charles H. Ladd, executor of Nathaniel A. Haven, \$400.
 "Charles H. Ladd, executor of Nathaniel A. Haven, \$118.56.
 "On the vessel schooner Theresa, William Williamson, master, namely:
 "William W. Cronmiller and Edmund C. Scott, administrators of John Royer Champagne, \$21,304.59.
 "On the vessel schooner Federal George, Benjamin Tilton, master, namely:
 "J. Southgate Yeaton, administrator of Marcus McCausland, \$9,555.53.
 "Nathaniel Morton, administrator of Nathaniel Morton, surviving partner of Bedford & Morton, \$611.04.
 "Mary C. Johnson, administratrix, and David Stewart, administrator, of Edward Johnson, \$611.04.
 "Robert Shriver, administrator of Isaac Causten, \$305.52.
 "David Stewart, administrator of R. C. Boislandry, \$305.52.
 "Cumberland Dugan, administrator of Cumberland Dugan, \$611.04.
 "Elizabeth Montell, administratrix of Robert McKim, \$611.04.
 "Anna M. Tilgham, administratrix of Joseph Forman, \$305.52.
 "Charles J. Bonaparte, administrator of Benjamin Williams, \$611.04.
 "William Donnell, administrator of John Donnell, \$916.56.
 "David Stewart, administrator of Henry Payson, \$305.52.
 "Lorman Chancellor and Robert R. Brown, administrators of William Lorman, \$611.04.
 "David Stewart, administrator of William McCreary, \$611.04.
 "David Stewart, administrator of James Clarke, \$611.04.
 "Robert Shriver, administrator of Isaac Causten, assignee of John Hillen, \$611.04.
 "David Stewart and Isabella Rutter, administrators of Thomas Rutter, \$611.04.
 "Elizabeth Y. Thompson, administratrix of Joseph Young, \$305.52.
 "Mary Jane Thurston and James Thurston, administrators of John Hollins, \$611.04.
 "George H. Williams, administrator of Joseph Williams, \$305.52.

"Henry W. Ellicott, administrator of William McFadon, \$229.14.
 "James Lawson, administrator of Richard Lawson, \$458.28.
 "Anthony Groverman, administrator of Anthony Groverman, surviving partner of D'Werhagen & Groverman, \$611.04.
 "On the vessel brig Ann, Robert Lord, master, namely:
 "William I. Bowditch, administrator of Stephen Higginson, \$3,149.49.
 "On the vessel schooner Spartan, Thomas C. Howe, master, namely:
 "Mary T. Latrobe, administratrix de bonis non cum testamento annexo of the estate of Thomas Tenant, \$1,685.85.
 "On the vessel ship Statira, John Seaward, master, namely:
 "J. Hamilton Shapley, administrator of Edward Cutts, \$284.20.
 "Fred P. Jones, administrator of Martin Parry, \$408.53.
 "George W. Haven, administrator of Moses Woodward, \$213.15.
 "Francis E. Langdon, administrator of Clement Storer, \$355.25.
 "Josephine Richter, administratrix of John McClintock, \$142.10.
 "John Hatch, administrator of James Drisco, \$213.18.
 "John Hatch, administrator of Daniel Huntress, \$266.43.
 "John Hatch, administrator of Abel Harris, \$284.20.
 "William Hall Williams, administrator of Elijah Hall, \$284.20.
 "Alfred L. Elwyn, administrator of John Langdon, \$213.15.
 "On the vessel snow Thetis, Samuel Cameron, master, namely:
 "Gordon Gairdner, administrator of James Gairdner, surviving partner of the firm of James & Edwin Gairdner & Co., \$5,944.11.
 "On the vessel schooner Betsey and Polly, William Cottle, master, namely:
 "Charles F. Adams, administrator of Peter C. Brooks, \$300.
 "William S. Carter, administrator of William Smith, \$800.
 "John V. Apthorp, administrator of Caleb Hopkins, \$1,000.
 "Charles A. Welsh, administrator of William Stackpole, \$500.
 "John Lowell, jr., administrator of Tuthill Hubbard, \$400.
 "William P. Perkins, executor of Thomas Perkins, \$300.
 "William G. Perry, executor of Nicholas Gilman, \$400.
 "David G. Haskins, administrator of David Greene, \$1,000.
 "A. Lawrence Lowell, administrator of Nathaniel Fellows, \$1,000.
 "On the vessel schooner Hazard, Joseph Campbell, master, namely:
 "Edward N. Dingley, administrator de bonis non cum testamento annexo of William Nickels, deceased, \$1,660.20.
 "William O. McCobb, administrator de bonis non cum testamento annexo of Joseph Campbell, deceased, \$189.20.
 "David Chamberlain, administrator of the estate of Samuel Miller, deceased, \$1,660.20.
 "David Chamberlain, administrator of the estate of Thomas Miller, deceased, \$1,660.20.
 "George B. Sawyer, administrator de bonis non of the estate of John Nickels, deceased, \$1,660.20.
 "On the vessel ship Betsey, Josiah Obeare, master, namely:
 "Charles Francis Adams, jr., administrator of Peter Chardon Brooks, \$5,500.
 "Henry W. Blagge and Susan B. Samuels, administrators of Crowell Hatch, \$1,000.
 "Provided, however, That any French spoliation claim appropriated for in this act shall not be paid if held by assignment or owned by any insurance company. But this shall not apply to any claim of a class heretofore paid under the act approved March 3, 1891, entitled 'An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes,' and paid under the act approved May 27, 1902, entitled 'An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes.'
 Page 30, after line 14, insert: "Miscellaneous cases."
 Page 30, after line 14, insert: "For direct appropriation."
 Page 30, after line 14, insert: "To Jewett W. Adams, superintendent of the United States mint at Carson City, Nev., the sum of \$301, to reimburse him for money paid out by him during the months of July and August, 1894, to T. R. Hofer and L. L. Elrod, for necessary services rendered by them in the mint at Carson City, Nev."
 Page 30, after line 14, insert: "To Elizabeth L. W. Bailey, of Washington, D. C., administratrix of the estate of Davis W. Bailey, deceased, the sum of \$10,519.20, in payment of the award made in favor of said administratrix and against said District and filed in the supreme court of the District of Columbia by J. J. Johnson, the arbitrator, to whom had been mutually submitted for arbitration by him, by the said Commissioners and the said administratrix, the case then pending and untried in said court between said administratrix as plaintiff and the District of Columbia as defendant, known and designated upon the calendar of said court as No. 24,279, instituted therein for the recovery of damages by the plaintiff from the said defendant for alleged breach of contract by the said defendant for laying asphalt pavements in said District, and being the amount afterwards found and returned by the verdict of the jury upon a trial in said court involving the validity of said award and upon which verdict judgment was duly entered in said court for said sum of \$10,519.20, besides costs, and which said judgment was in all things afterwards by the court of appeals of the District of Columbia affirmed, upon an appeal taken thereto by the said District, and which said judgment was afterwards reversed by the Supreme Court of the United States, upon appeal taken thereto by said District, solely upon a question of law in no way involving or affecting the merits of said judgment or said case: *Provided*, That the said sum shall be accepted as full satisfaction of all of the claims of the said estate against the United States. And one-half of said sum so awarded shall be paid out of the revenues of the said District of Columbia and one-half from the Treasury of the United States."
 Page 30, after line 14, insert: "To Henry Bash, the sum of \$1,260, being the amount due him for office rent and expenses incurred by him while United States shipping commissioner at Port Townsend, Wash., from July 1, 1886, to October 1, 1891, being sixty-three months, at \$20 per month."
 Page 30, after line 14, insert: "To Emile M. Blum, the sum of \$5,000, for services as commissioner-general to the International Exposition at Barcelona, Spain."
 Page 30, after line 14, insert: "To the legal representatives of A. G. Boone, of Laveta, Colo., the sum of \$12,291, in full satisfaction for his services and expenses as United States commissioner in negotiating the Indian treaty concluded February 18, 1861."
 Page 30, after line 14, insert: "To Priscilla R. Burns, widow of the late Gen. William W. Burns, deceased, the sum of \$7,987, in full payment of the balance due him for royalty on 3,195 tents used by the United States Government."
 Page 30, after line 14, insert: "To the Chesapeake Bank, of Balti-

more, Md., \$2,396.28, the amount found to be due the said bank by the Commissioner of Internal Revenue, under the act of Congress approved February 28, 1901 (31 Stat., p. 1750), for internal-revenue taxes illegally collected."

Page 30, after line 14, insert: "To Henry T. Clarke, the sum of \$2,880, for the rent of buildings on the northwest quarter of the north-west quarter of section 2, township 13, range 13, Sarpy County, Nebr., from February 9, 1890, to March 12, 1904, being for the use of buildings on said land acquired by the United States by condemnation proceedings in the suit against Henry Zuercher in accordance with a proposition made by Henry T. Clarke to the Secretary of War July 29, 1889, which said proposition was for the sale of lands to the United States in Fort Omaha, now Fort Crook, by which proposition all said buildings were retained by Henry T. Clarke: *Provided*, That the sum of \$2,880 shall be accepted and received by Henry T. Clarke in full payment of all claims and demands on account of the rental of said buildings."

Page 30, after line 14, insert: "To Capt. Archibald W. Butt, quartermaster, United States Army, the sum of \$480, amount stolen from the United States in Manila, P. I., by an employee of the quartermaster's department, by name José B. Luciano, the said Capt. Archibald W. Butt having fully paid said sum to the United States."

Page 30, after line 14, insert: "To Mary A. Coulson, executrix and sole legatee of Sewell Coulson, deceased, late of Sullivan, Ind., the sum of \$3,950, being the amount due to him for professional services rendered as an attorney at law, the said services being the defense of sundry actions instituted and prosecuted against a military officer and men of his command in the Indiana State courts and the United States circuit court within and for the district of Indiana for acts done by them while in the discharge of their duty and in obedience to orders emanating from the authority of the United States Government during the late war."

Page 30, after line 14, insert: "To the legal representatives of George W. Curtis, deceased, late of Arizona Territory, for the benefit of said estate, the sum of \$2,288.91, being the amount due said Curtis for services rendered the United States in carrying out, as bondsman, the army transportation contract of Isaac S. Randol, defaulting contractor, in contract No. 61220, for the fiscal year ending July 1, 1882."

Page 30, after line 14, insert: "To Leonard L. Deltrick, late first lieutenant, Thirty-fourth Infantry, United States Volunteers, the sum of \$120, said sum having been United States funds stolen from his safe at Penaranda, Nueva Ecija, P. I., at some time between December 3, 1900, and December 24, 1900, while he was acting commissary officer; and which sum the said Leonard L. Deltrick accounted for and paid to the proper officer of the United States from his own private funds."

Page 30, after line 14, insert: "To Merrill Denham, of Madison County, Ky., the sum of \$68, for seventeen days' service as storekeeper in the Internal Revenue Service, beginning January 21, 1889, under order of the collector of internal revenue of the eighth district of Kentucky."

Page 30, after line 14, insert: "To the personal representative of James H. Dennis the sum of \$26,538, being the amount found by the Court of Claims to be due to him by reason of certain contracts for the improvement of the Tennessee River."

Page 30, after line 14, insert: "To the estate of James B. Eads the sum of \$19,657.54, in full payment of the balance of interest due to said estate from the United States."

Page 30, after line 14, insert: "To the Eastern Railroad Company of Massachusetts the sum of \$15,714.35, and to the Boston and Maine Railroad the sum of \$12,246.14, which amounts the Commissioner of Internal Revenue has found and reported, under Senate resolution of April 22, 1904, to have been collected illegally from said companies as duplicate taxes on the same identical income or profits under the acts of Congress approved July 1, 1862, June 30, 1864, and July 14, 1870, and amendments thereto."

Page 30, after line 14, insert: "To Andrew Gleeson and Patrick Maloney the sum of \$4,719.68, being the interest due upon a judgment rendered by the Court of Claims in cause No. 16310, Maloney and Gleeson v. The United States, from the 26th day of June, 1890, the day the transcript of judgment was presented to the Secretary of the Treasury for payment, until the 14th day of June, 1892, the day said judgment was paid, after the Government's appeal to the Supreme Court of the United States had been dismissed."

Page 30, after line 14, insert: "To Eleonora G. Goldsborough, widow of Surg. Charles B. Goldsborough, of the Marine-Hospital Service, the sum of \$7,200, the equivalent of two years' salary at the rate of salary he was receiving by law at the time of his demise, with allowances for two years."

Page 30, after line 14, insert: "To the Good Shepherd Industrial School, of Milwaukee, Wis., the sum of \$298.11, in payment and settlement for amount expended by said Good Shepherd Industrial School in the transportation of fifty-four Indian girls from Milwaukee, Wis., to Devils Lake and other points in North Dakota."

Page 30, after line 14, insert: "To the Grand Rapids and Indiana Railway Company the sum of \$25,039.75, for transporting the United States mail under its present corporate name and under its former corporate name, the Grand Rapids and Indiana Railroad Company, over postal routes Nos. 24018 and 137018, during the period between July 1, 1876, and June 27, 1896, both inclusive."

Page 30, after line 14, insert: "To John W. Gummo, late of Company F, Twelfth Regiment Pennsylvania Volunteer Cavalry, the sum of \$190, being the balance of bounty due him for services rendered the Government during the late war of the rebellion."

Page 30, after line 14, insert: "To Maj. E. W. Halford, paymaster, United States Army, the sum of \$165.44, for refunding money to him which he disbursed through error and without fault on his part for travel pay to enlisted men on discharge."

Page 30, after line 14, insert: "To Charles R. Hooper or his heirs the sum of \$50 dollars per month for sixty months, as full compensation for loss of his left eye while employed by the United States Government in the capacity of first-class blacksmith in the forge shop in the navy-yard in the city of Washington, D. C., in the year 1894."

Page 30, after line 14, insert: "To John Wesley Hoyt, of the District of Columbia, the sum of \$5,000, for the expenses actually incurred by him in the travel necessary to the preparation of his report on education in Europe and America, requested by Hon. William H. Seward, Secretary of State of the United States, and published by Congress in the year 1870."

Page 30, after line 14, insert: "To the Independent Line Steamers, of Tampa, Fla., the sum of \$1,344.18, in full settlement of all claims said steamer line may have against the United States for damages to the steamer Manatee, due to a collision with the U. S. S. Hillsboro in Tampa Bay, Florida, on the night of November 18, 1901. And so much of the act of July 1, 1902 (32 Stat. L., p. 557), as authorized the pay-

ment of \$624.18 to the said Independent Line Steamers is hereby repealed."

Page 30, after line 14, insert: "To Sarah E. Jenkins, of Maryland, daughter of the late Rear-Admiral Thornton A. Jenkins, United States Navy, the sum of \$4,896, being the difference between the retired pay of a rear-admiral and the highest pay of that grade, from March 25, 1874, to June 30, 1877, in full compensation for the services of the late Rear-Admiral Thornton A. Jenkins, United States Navy, as commissioner and representative of the Navy Department at the Centennial Exhibition in Philadelphia, 1876."

Page 30, after line 14, insert: "To Richard King, the sum of \$5,000, being compensation in full for expenses incurred and permanent injury sustained by reason of his being shot by a soldier of the United States Army while said soldier was on duty."

Page 30, after line 14, insert: "To W. J. Kountz, his heirs or legal representatives, the sum of \$12,487.14, the same being the amount found due him by the Third Auditor, and approved by the Second Comptroller of the Treasury, on vouchers properly presented and on file, for services actually rendered by him in transporting troops and supplies on the Yellowstone River, under a contract dated March 12, 1878, between the said Kountz and the Quartermaster's Department of the United States Army, at St. Paul, Minn., but which was withheld by the accounting officers of the Government pending a suit by the United States to recover from said Kountz the sum of \$22,845.51, from the payment of which sum he was released and discharged by act of Congress of February 19, 1895, and the order of the Secretary of War of March 24, 1897, carrying said act of Congress into effect."

Page 30, after line 14, insert: "To Jean Louis Legare, of the Dominion of Canada, the sum of \$8,000, for services and money expended in bringing into the United States and procuring the surrender of Sitting Bull and his followers, under the direction of the War Department."

Page 30, after line 14, insert: "To the heirs and legal representatives of those who were killed while in the employ of the United States in the discharge of their duties on the 3d of July, 1893, at the United States torpedo station on Goat Island, in the harbor of Newport, R. I., by the explosion of the gun-cotton factory, the sum of \$15,000, of which sum there shall be paid to the legal or personal representatives of each of the following persons the sum of \$5,000: Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan: *Provided*, That where the deceased left a widow and children, the widow shall receive one-half and the children shall share alike."

Page 30, after line 14, insert: "To Smith R. Mershon the sum of \$192.50, for services rendered as custodian of a distillery warehouse in Lincoln County, Ky., seized by a United States revenue officer and held for seventy-seven days by said Smith R. Mershon under the orders of the said United States revenue officer."

Page 30, after line 14, insert: "To Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett, the sum of \$2,062.06, in full for the balance due her husband, the said Mullett, on account of compensation and his actual expenses incurred as commissioner appointed from civil life on the navy-yard commission, under the provisions of the act of August 5, 1882, making appropriations for the naval service, said balance being based upon vouchers heretofore issued and approved by the Secretary of the Navy and now in the possession of the widow of said Mullett."

Page 30, after line 14, insert: "To Emma Morris, widow of Frank H. Morris, late Auditor for the War Department, who lost his life on the 22d day of December, 1900, while in the discharge of his official duties in the Winder Building, the sum of \$2,097.83, being the balance of the salary which would have been due said Frank H. Morris June 30, 1901."

Page 30, after line 14, insert: "To Edward H. Murrell the sum of \$7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 28, 1865."

Page 30, after line 14, insert: "To Nye & Schneider Co., of Fremont, Nebr., the sum of \$61.13, being an unpaid balance on bill rendered for fuel furnished the United States Government by that company during the years 1893 and 1894 for the purpose of heating the post-office building at Hastings, Nebr., which said amount has remained unpaid by reason of the appropriation for such purpose having been exhausted."

Page 30, after line 14, insert: "To the Postal Telegraph-Cable Company, a corporation incorporated under the laws of the State of New York, having its principal office at No. 253 Broadway, New York City, the sum of \$2,155.19, for telegraph service rendered to the Post-Office Department from July 1, 1889, to June 30, 1893."

Page 30, after line 14, insert: "To the Potomac Steamboat Company, the sum of \$5,090, that being the amount paid by the said Potomac Steamboat Company under a decree of the circuit court of the United States for the eastern district of Virginia, affirmed by the Supreme Court of the United States, to the Baker Salvage Company, for services rendered to the steamer Excelsior, belonging to the said Potomac Steamboat Company, when she was sunk by the United States steam tug Fortune in Hampton Roads, Virginia, on the 4th day of December, 1882, said amount to be received by the said Potomac Steamboat Company in full satisfaction of all claims and demands against the United States in consequence of the said collision."

Page 30, after line 14, insert: "To Alvin M. Ryerson, of Auburn, Me., the sum of \$300, being the amount paid by him in August, 1864, as commutation on account of draft in Skowhegan, forty-eighth sub-district, third district of Maine."

Page 30, after line 14, insert: "To the legal devisees of James W. Schaumburg, deceased, the sum of \$10,865.31, or as much thereof as may be necessary, in settlement of the amount of the pay and allowance of a first lieutenant of dragoons, from July 1, 1836, to March 24, 1845, as heretofore found to be due to him by the United States circuit court for the eastern district of Pennsylvania on the 23d day of November, 1875."

Page 30, after line 14, insert: "To A. M. Spear, \$900; to Harriet S. Webster, \$1,315; to F. H. Harford, \$250; to Margaret E. McDonald, \$400; to Nicholas Mospan, \$165; to Malvina H. Merriman, \$125; to James Merriman, \$150; to Mary E. Parker, \$300; to Mary E. Tingley, \$75; to Hattie E. McCann, \$19; to Harry Wood, \$76, all at Fort Preble, Me.; to Mrs. Emma Tatrow, \$3.72, at Fort Winthrop, Mass.; to Katharine Jackman, \$3, and to Elizabeth Dance, \$25, both at Fort Hamilton, N. Y.; to E. M. Ferguson, \$25, at Fort H. G. Wright, N. Y., in payment of claims against the Government of the United States, arising out of damages to private property by reason of mortar

practice as ascertained and reported to the Secretary of War by a board of army officers constituted for that purpose."

Page 30, after line 14, insert: "To John Stewart, civil engineer, the sum of \$2,000, as extra compensation for services rendered by him to the Government in connection with the Potomac Flats case."

Page 30, after line 14, insert: "To the legal representatives of G. B. Stimpson, of Pueblo, Colo., the sum of \$325, due him for clerk hire and expenses while serving as postmaster at South Pueblo, Colo."

Page 30, after line 14, insert: "To Thomas C. Sweeney, of Wheeling, W. Va., the sum of \$5,000, in full payment for services of the steamer Ben Franklin during the year 1863."

Page 30, after line 14, insert: "To H. H. Thornton and Ben D. Rochblatve, the owners of the steamer Monarch, the amount of interest now due on a judgment recovered against D. G. Brent, as collector of customs at the port of Pensacola, Fla., April 29, 1901, in the United States circuit court of the northern district of Florida, for \$1,113.75, said interest to be calculated from the date of rendition of judgment to date of its payment, namely, from the 29th day of April, 1901, to the 14th day of February, 1902, at the rate of 4 per cent per annum: *Provided*, That such sum shall be accepted in full satisfaction and payment of the balance due on said judgment, principal, interest, and costs."

Page 30, after line 14, insert: "To Lincoln W. Tibbetts, of Portland, Me., the sum of \$15,000, in full settlement and satisfaction of his claim for losses sustained by him in bringing back to New York the cargo of the brig Tornado, consisting of 8,000 kegs of gunpowder, shipped per said brig Tornado from said port to New Orleans in December, 1860, of which said Tibbetts was master and managing owner, whereby said powder was prevented from falling into the hands of the authorities of the seceding States."

Page 30, after line 14, insert: "To Custis Parke Upshur, the sum of \$787.82, being the amount due him for office rent and expenses incurred by him while United States shipping commissioner at Astoria, in the State of Oregon, from July 1, 1886, to October 1, 1891, being for five years and three months, at \$12.50 per month."

Page 30, after line 14, insert: "To H. W. Van Senden, administrator of the estate of W. R. Austin, deceased, and Joseph W. Kay, of the firm of W. R. Austin & Co., the sum of \$35,000, proportioned as their interest may appear, for materials furnished to the Interior Department by said W. R. Austin & Co. for use in the Eleventh Census of the United States, the same to be in full for all said materials and all vested rights."

Page 30, after line 14, insert: "To W. I. Anundsen, owners of the Norwegian steamer Ragnar, the sum of \$8,524.10, amount found due by Consul-General Goodnow, for damages arising from the collision between said steamer and the U. S. Army transport Sumner, in the Yangtze River, China, on March 18, A. D. 1902."

Page 30, after line 14, insert: "To Ramon O. Williams, late consul-general at Habana, the sum of \$2,222.08, in payment of the amounts expended by him for clerk hire in excess of his allowances between July 1, 1892, and June 5, 1896; and to Joseph A. Springer, late vice-consul-general at Habana, the sum of \$200.54, in payment of the amounts expended by him for clerk hire in excess of his allowances between October, 1892, and June 30, 1895; both amounts as shown on the records of the State Department and as recommended for payment by the State Department to the Fifty-fifth and Fifty-sixth Congresses."

Page 30, after line 14, insert: "To the persons hereinafter named, or their heirs or legal representatives, whose claims were presented to and allowed by the State board of examiners of Nevada, or tried by the Court of Claims, the several sums, respectively, set opposite their names, in full satisfaction for services rendered, moneys expended, indebtedness incurred, and supplies and necessities furnished in repelling invasions and suppressing Indian outbreaks and hostilities within the Territorial limits of the present State of Nevada, namely:

"AMOUNTS ALLOWED BY THE STATE BOARD OF EXAMINERS OF NEVADA."

"Alexander Ash, \$780.
 "Erastus Bond, \$380.
 "Solomon L. Blackwell, \$281.
 "H. H. Bence, \$300.
 "Henry Bush, \$100.
 "Isaac S. Burson, \$160.
 "William C. Bradley, \$372.
 "John C. Daniels, \$290.75.
 "Anthony Ethier, \$385.
 "W. W. Eichelroth, \$620.
 "Greely French, \$385.
 "Richard Gray, \$322.
 "George F. Gray, \$322.
 "James J. Hutchinson, \$175.
 "Benjamin Hutchinson, \$210.
 "N. B. Isaman, \$395.
 "James Jones, \$365.
 "Joseph Kenville, \$440.
 "Charles D. Moore, \$300.
 "Newton C. Miller, \$495.
 "R. H. McDonald, \$350.
 "Patrick B. McCourt, \$365.
 "Richard Martin, \$400.
 "Edward Muller, \$294.
 "James Morgan, \$9,485.
 "Michael Nichter, \$308.
 "S. A. Nevers, \$145.
 "John Noyes, \$250.
 "Thornton A. Reed, \$142.
 "John Rickelton, \$1,050.
 "William Scott, \$322.
 "Volney B. Sabin, \$485.
 "Matthew Smith, \$180.
 "Matthew Shusterech, \$400.
 "James D. Sears and James Thompson, \$600.
 "Charles W. Turner, \$1,170.
 "Geon Von Schmittburg, \$322.
 "J. A. Waddell, \$355.
 "John D. Winters, \$949."

Page 30, after line 14, insert:

"AMOUNTS ALLOWED BY COURT OF CLAIMS—(RESIDENTS OF CHIFFLE CREEK, TELLER COUNTY, COLO.)."

"Daniel E. Kimball, \$90.
 "Daniel E. Kimball and John H. Alphin, \$2,066.
 "John H. Alphin, \$90."

Page 30, after line 14, insert:

"CLAIMS OF ANTEBELLUM MAIL CONTRACTORS."

"(As shown in S. Doc. No. 92, 57th Cong., 2d sess.)"

Page 30, after line 14, insert: "To Henry O. Bassett, sole surviving heir of Henry Opeman Bassett, deceased, the sum of \$142.59, for mail service performed as contractor on route numbered 6564, Florida, from January 1, 1861, to March 31, 1861."

Page 30, after line 14, insert: "To Lottie Bowman, widow of Thomas R. Bowman, deceased, the sum of \$427.17, for mail service performed as contractor on route numbered 7841, Arkansas, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the estate of R. W. Bullock, deceased, the sum of \$95.21, for mail service performed as contractor on route numbered 5726, South Carolina, from July 1, 1860, to January 31, 1861."

Page 30, after line 14, insert: "To the legal representatives of Henry Fulenwider, deceased, the sum of \$10,892.86, for mail service performed as contractor on route numbered 7002, Alabama, from April 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Georgia Railroad and Banking Company, formerly the Georgia Railroad Company, the sum of \$4,880.68, for mail service performed as contractor on routes numbered 6136, numbered 6143, and numbered 6144, Georgia, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the heirs of Peter Johnson, deceased, the sum of \$1,859.91, for mail service performed as contractor on route numbered 5858, Texas, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Alabama and Tennessee River Railroad Company, the sum of \$11, for mail service performed as contractor on route numbered 7147, Alabama, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Charlotte and South Carolina Railroad Company, the sum of \$4,589.01, for mail service performed as contractor on route numbered 5673, South Carolina, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the administrator of the late D. S. Farrar, the sum of \$63.52, for mail service performed as contractor on route numbered 4277, Virginia, from January 1, 1861, to March 31, 1861."

Page 30, after line 14, insert: "To the Greenville and Columbia Railroad Company, the sum of \$3,273.97, for mail service performed as contractor on route numbered 5674, South Carolina, from January 1, 1861, to March 31, 1861."

Page 30, after line 14, insert: "To the Laurens Railroad Company, the sum of \$375, for mail service performed as contractor on route numbered 5711, South Carolina, from January 1, 1861, to March 31, 1861."

Page 30, after line 14, insert: "To the Manassas Gap Railroad Company, the sum of \$89.12, for mail service performed as contractor on route numbered 4251, Virginia, from April 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Memphis and Charleston Railroad Company, the sum of \$20,947.93, for mail service performed as contractor on route numbered 7096, Alabama, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Richmond and Danville Railroad Company, the sum of \$15.95, for mail service performed as contractor on route No. 4183, Virginia, from April 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Richmond and York River Railroad Company, the sum of \$270.35, for mail service performed as contractor on route No. 4612, Virginia, from December 25, 1860, to May 31, 1861."

Page 30, after line 14, insert: "To the South Carolina Railroad Company, the sum of \$46.70, for mail service performed as contractor on route No. 5602, South Carolina, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To the Western North Carolina Railroad Company, the sum of \$122.69, for mail service performed as contractor on route No. 5176, North Carolina, from January 1, 1861, to May 31, 1861."

Page 30, after line 14, insert: "To Malinda S. Gray, widow and legal representative of Frederick P. Gray, deceased, the sum of \$356.10, for mail services performed as contractor on route 10171, from Clarksburg to Paris, Tenn., from January 1 to March 31, 1861."

Page 30, after line 14, insert:

"FOR INVESTIGATION AND REPORT."

"That the Auditor for the State and other Departments be, and he is hereby, authorized to examine all claims which may be presented in proper form by the different counties in Arizona Territory, and to ascertain the amount due each of said counties on account of legal costs and expenses incurred from March 3, 1889, to June 30, 1899, in the prosecution of Indians under the act of March 2, 1885 (23 Stat. L., p. 385), for which the United States is liable under act of March 3, 1889 (25 Stat. L., p. 1004), and which have been paid by said counties; and the amounts so found shall be certified by the Secretary of the Treasury to Congress for a deficiency appropriation."

Page 30, after line 14, insert:

"FOR INVESTIGATION AND SETTLEMENT."

Page 30, after line 14, insert: "That the Secretary of War be, and he is hereby, authorized and directed to examine the claim of John Conner, sr., for payment of a sum alleged to be due for 20.1 acres of cleared land, 7.71 acres of timbered land, 500 bushels of corn, and 20 bales of cotton, said land and other property alleged to have been taken and appropriated by the United States in constructing a levee at Ashport, Lauderdale County, Tenn., in 1886 and 1887, under the supervision of the Mississippi River Commission, and allow him whatever the said land and other property are reasonably worth, not exceeding the sum of \$1,279.60, the amount so allowed to be in full payment for said land and other property alleged to have been taken and appropriated: *Provided*, That none of the said amount shall be paid to the claimant until after he shall have executed and delivered to the proper officer of the Government all papers necessary to give to the United States a title in fee simple to all of the aforementioned land, but nothing in this proviso shall be held to compel claimant to pay any taxes which may have accrued against this land during its occupancy by the Government: *And provided further*, That the acceptance by the claimant of the amount so allowed shall be considered as full satisfaction of his claim. And whatever sum shall be found due on such examination shall be paid to the said John Conner, sr., and is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Page 30, after line 14, insert: "That the proper accounting officers be, and they are hereby, directed to settle and adjust to Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, all back pay and emoluments that would have been due and payable to the said Nathaniel H. McLean as a major from July 23, 1864, to the date of his reinstatement, March 3, 1875, and that the amount found due by said adjustment is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated."

Page 30, after line 14, insert: "That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to examine and settle the claim of John Scott, late sutler Twenty-first Regiment New York Cavalry, for money alleged to be due him by certain enlisted men of the said regiment who had died in the service or who had deserted; and in the examination of said claim the accounting officers are authorized to regard the certificate of the commanding officer of the regiment now on file with the case as equivalent to an entry on the muster roll of the regiment; and a sufficient sum of money to pay the amount found due to John Scott is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay all of said claim not already settled by the United States with the men or their legal representatives."

Page 30, after line 14, insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Walter H. Taylor, administrator of Richard Taylor, deceased, of Norfolk, Va., the sum of \$11,946.81, remaining unpaid, of the amount appropriated to be paid to John A. Brimmer, jr., administrator of John Gilliat, deceased, of the firm of Gilliat & Taylor, in the act entitled 'An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes.' *Provided*, That the Secretary of the Treasury is satisfied that an agreement was entered into in the year 1800 between the members of said firm of Gilliat & Taylor, by which the late Richard Taylor became, upon the dissolution of said firm, entitled to the assets of said firm. And so much of the act of June 30, 1891, as authorized the payment of the said sum of \$11,946.81 to the administrator of John Gilliat, deceased, is hereby repealed."

Page 30, after line 14, insert: "That the Secretary of the Department of Commerce and Labor be, and he is hereby, authorized and directed to examine the claim of the Wales Island Packing Company, for injury to its business and property on Wales Island on account of the recent decision of the Alaska boundary tribunal, under which the possession of said island has passed from the United States to the Dominion of Canada, and allow to said company whatever sum may be found due, not exceeding \$81,689.60. And such sum so found due shall be paid to the Wales Packing Company: *Provided*, That the said sum shall be accepted by the said company as full satisfaction of all of its claims against the United States arising from said injury; and the said sum is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Page 30, after line 14, insert: "That the Secretary of the Treasury is hereby authorized to make settlement with James M. Willbur for excess in weight of material and excess in the superficial measurement of illuminating tiling, frames, and supports thereof, placed by said Willbur in, on, and around the New York City post-office and courthouse building beyond what he was required to furnish by his contract with the United States, according to samples submitted and accepted, either upon the report of such excessive weight and superficial measurement furnished by the direction of the Secretary of the Treasury and Senate committee, by the experts, Solomon J. Fague and Archibald Given, of date April 21, 1886, to the Senate committee, and on file with the Senate Committee on Claims; but if not satisfied with the report of such experts, the Secretary of the Treasury shall, within thirty days from the passage of this act, appoint three competent persons, who shall be duly sworn to ascertain and report the sum, if any, which in justice and equity ought to be paid James M. Willbur for excess in weight of material and excess in the superficial measurement of illuminating tiling, frames, and supports thereof, placed by said Willbur in and around the New York City post-office and courthouse building, beyond what he was required to furnish by his contract as aforesaid, such sum to be determined by the prices fixed in said contract, so far as they are applicable. The said persons so appointed shall also ascertain and report any increased or extra expense or cost incurred by said Willbur resulting from any changes and additions made in and to the weight, measurement, and character of said tiling, or in the quantity thereof, from that which was specified in said contract; and that the Secretary of the Treasury shall, within sixty days after the making of said report, pay to said Willbur such amount as he shall find from such report to be due to him, which sum shall be taken and received by said Willbur in full and final settlement of all and every claim against the United States on said account; and such sum as may be necessary to pay the amount so found due is hereby appropriated out of any money in the Treasury not otherwise appropriated."

Page 30, after line 14, insert: "To refund internal-revenue taxes illegally collected from owners of private dies, the following amounts, or so much as may be found due by the accounting officers of the Treasury Department, to wit:

"To American Match Company, of Cleveland, Ohio, \$358.63; Dr. J. C. Ayer & Co., \$8,435; Barclay & Co., \$211.25; B. Bendel & Co., \$584.17; William Bond, \$40; B. Brandreth, \$1,965; Brockett & Newton, \$280; Frederick Brown, \$521.71; Joseph Burnett & Co., \$249.90; Byam, Carlton & Co., \$28,240.75; Centaur Company, \$39.58; Clark Match Company, \$970; Cowles & Lech, \$1,084.52; Curtiss & Brown, \$24; M. Dally, \$4,395; James Eaton, \$4,505; P. Eichele & Co., \$7,427.72; Excelsior Match Company, \$398.27; B. A. Fahenstock & Co., \$100; Fleming Brothers, \$1,300; William Gates, \$23,104.81; A. J. Griggs, \$1,358.75; R. P. Hall & Co., \$2,050; Samuel Hart & Co., \$2,861; J. E. Hethrington, \$95; Hiscox & Co., \$12; C. E. Hull & Co., \$81.96; Thomas J. Husband, \$154.70; T. T. Ives, \$85.95; Dr. D. Jayne & Son, \$4,321; J. S. Johnson & Co., \$279.75; Johnston, Holloway & Co., \$102; Kennedy & Co., \$126.66; Lawrence & Cohen, \$2,862; C. S. Leete, \$505.91; John J. Levy, \$1,153.20; C. W. Lord (Lord & Robinson), \$1,328.27; Andrew S. Lowe, \$51; Dr. J. H. McLean, \$970; Merchants' Gargling Oil Company, \$536.29; A. Messenger, \$4,895; Newbauer & Co., \$480; New York Consolidated Card Company, \$215; Ray V. Pierce, \$969.22; D. Ransom, Son & Co., \$748.20; D. M. Richardson, \$20,955; Richardson Match Company, \$4,730.50; H. & W. Roeber, \$958.91; William Roeber, \$2,804; J. H. Schenck & Son, \$1,284; Schmitt & Schmitt, \$2,282.09; J. E. Schwartz & Co., \$90; Schwartz & Haslett, \$150; A. L. Scoville & Co., \$784; H. Stanton, \$3,163.25; Swift & Courtney, \$4,650; Herman Tappan, \$5; E. R. Tyler, \$45; A. Vogeler & Co., \$265.50; James H. Weedon, \$895; World's Dispensary Medical Association, \$30.40."

Page 30, after line 14, insert:

"FOR REFERENCE TO THE COURT OF CLAIMS."

Page 30, after line 14, insert: "That the claim of the legal representatives of Eli Ayres, deceased, for the value and proceeds of certain parcels and sections of land situated in the State of Mississippi, and to which the said Eli Ayres claims to have held the legal or equitable title at the time of his death, which title as claimed was acquired and derived by him by purchase and deeds from certain Chickasaw Indians in the year 1839, the Chickasaw Indians as grantors in said deeds having derived and acquired their respective title or titles to the said parcels or sections of land by grant and treaty stipulations in accordance with the provisions contained in the treaty concluded between the United States and the Chickasaw Nation of Indians on May 24, 1834, amendatory of the treaty of October 20, 1832, and which said parcels or sections of land and the proceeds thereof, in whole or in part, it is alleged, have been, without right or title thereto, and without authority, either in law or in equity, appropriated by the United States Government and held or disposed of by said Government as its own property, or otherwise, be, and the same is hereby, referred to the Court of Claims of the United States, and jurisdiction is hereby conferred on said Court of Claims to proceed, according to the principles and rules of both law and equity, to find the facts as to the purchase of said parcels or sections of land from said Chickasaw Indians by said Ayres and as to the deeds received by him from the said Indians, and the amounts paid by said Ayres to said Indians per acre for said parcels or sections of land, and as to the title of said Ayres to the same; and also to find the facts as to the alleged appropriation by the United States Government of the said parcels or sections of land alleged to have been so purchased by said Ayres from the said Indians, and what disposition, if any, has been made of the same by the United States, whether the same has been disposed of by the United States under the public-land laws, and all the material facts in connection therewith, embracing the amount that should be paid to the legal representatives of said Eli Ayres, deceased, by reason of the loss occasioned to him, if any, by the appropriation by the Government of the said parcels or sections of lands purchased from said Indians as herein claimed; and what amount of the proceeds of the sales of said land, if any, is held by the Government in trust for the said Chickasaw Indians; and also whether any of the said parcels or sections of land are still held and not disposed of by the United States; and the court is authorized to find any other fact or facts of importance to the parties which may arise in this claim; and when the court has found the facts under the provisions of this act, it is hereby authorized and directed to report the same to Congress; and in considering the merits of the claim in the finding of the facts, affidavits of persons now dead, reports of officers of the United States Government, reports of committees of both Houses of Congress, and the several deeds from the said Chickasaw Indians conveying said parcels or sections of land to Eli Ayres, deceased, and all papers now on file with the claim in Congress or with the committees of either House relating to such claim, shall be considered by the court, and such weight given thereto as may be deemed by the court to be right and proper."

Page 30, after line 14, insert: "That jurisdiction is hereby given to the Court of Claims, notwithstanding any failure to protest and appeal, to hear and try the claims of Bates & Despard, and of Despard Brothers, and of the estate of Charles L. Perkins, liquidating partner of Perkins & Choate, and of the Illinois Steel Company as assignee, for refund of import duties paid in excess of the duties imposed by law on steel blooms imported during the years 1879, 1880, 1881, and 1882, and to render judgment, notwithstanding section 3477 of the Revised Statutes, in their favor, and in favor of the representatives of said estate, respectively, for such sums as were paid by them and by Perkins & Choate, and by the Union Iron and Steel Company, in excess of the legal duty: *Provided*, That the petitions shall be filed in said court within one year after the passage of this act."

Page 30, after line 14, insert: "That the claim of the contractor, or his legal representatives, for the construction of the light-draft monitor Etiah may be submitted by said contractor, or his legal representatives, within six months after the passage of this act, to the Court of Claims, under and in compliance with the rules and regulations of said court, and said court shall have jurisdiction, legal and equitable, to hear and determine and render judgment upon the same: *Provided*, however, That the investigation of said claim shall be made upon the following basis: The said court shall ascertain the additional cost which was necessarily incurred by said contractor for building said light-draft monitor Etiah in the completion of the same by reason of any changes or alterations in the plans and specifications required and delays in the prosecution of the work: *Provided further*, That such additional cost in completing the same and such changes and alterations in the plans and specifications required and delays in the prosecution of the work were occasioned by the Government of the United States; but no allowance for the advance in the price of any labor or material shall be considered unless such advance could not have been avoided by the exercise of ordinary prudence and vigilance on the part of the contractor: *And provided further*, That the compensation fixed by the contractor and the Government for specific alterations in advance of such alterations shall be conclusive as to the compensation to be made therefor: *Provided*, That such alterations when made complied with the specifications for the same as furnished by the Government: *And provided further*, That all moneys paid to said contractor by the Government over and above the original contract price for building said vessel shall be deducted from any amounts allowed by said court by reason of the matters hereinbefore stated: *And provided further*, That if any such changes caused less work and expense to the contractor than the original plans and specifications a corresponding reduction shall be made from any allowance which may be made by said court to said claimant: *And provided further*, That said claim may be submitted as aforesaid, notwithstanding any statute of limitations or proceeding heretofore instituted for the collection of said claim; and in any proceedings heretofore instituted before said court, prior to the grant by said Congress of general equitable jurisdiction to said court, any testimony that may have been taken under the rules of said court, and any findings of fact which may be based thereon, shall be duly considered by the court and given such weight and effect as the court shall deem equitable and just."

Page 30, after line 14, insert: "That the claim of Hyland C. Kirk, of Pittsburg, Pa., and others, assignees of Letters Patent No. 101,604, dated April 5, 1870 (antedated October 5, 1869), for an improvement in adhesive postal and revenue stamps, issued to Addison C. Fletcher and assigned to Hyland C. Kirk and others, for compensation for the use of said letters patent and the invention therein described by the United States Government in the collection of revenue on distilled

spirits and malt liquors during the years 1868, 1869, 1870, 1871, and 1872, be, and is hereby, referred to the Court of Claims; and said court is hereby vested with power and jurisdiction, notwithstanding the statute of limitations, to hear, determine, and adjudicate the validity of said letters patent, the title of the assignees, respectively, to the same, and the amount of compensation, if any, which should in justice and equity be made to said claimants, or any of them, respectively, for the use of said invention by the United States as aforesaid, and to render final judgment therefor; that upon the trial of the questions arising said court shall receive as competent evidence the testimony in the case of Fletcher v. The United States and the case of Solomons v. The United States heretofore pending and decided in said Court of Claims and of record therein, together with such other evidence as may be presented upon said hearing; and from the judgment of said court either party may appeal to the Supreme Court of the United States in the manner and within the time provided by statute for appeals from judgments rendered by said court."

Page 30, after line 14, insert: "That the claim of John S. Mosby for the value of 7,900 pounds, more or less, of tobacco, mentioned in an official paper dated at Rocketts Landing, Richmond, Va., July 27, 1865, signed 'W. H. D. Cochran, major, depot quartermaster,' and purporting to give a 'list of captured tobacco marked in the name of Col. J. S. Mosby, transferred to Col. J. S. Loomis, Treasury agent, June 7, 1865,' be, and the same is hereby, referred to the Court of Claims of the United States, with full jurisdiction to try and adjudicate said claim and render judgment against the United States in such sum as may be found just by said court, without the interposition in behalf of the Government of any bar arising from the existing statutes of limitations. Right of appeal to the Supreme Court of the United States is expressly reserved to the Government and to the claimant. But it is provided that any portion of such sums representing tobacco beneficially belonging to the father, sister, or other relatives of said Mosby shall be held in trust by him accordingly."

Page 30, after line 14, insert: "That the claims for the further compensation for the construction of the ironclad monitors Saugus, Cohoes, and Napa may be submitted severally by the contractors or their legal representatives within one year after the passage of this act, to the Court of Claims under and in compliance with the rules and regulations of said court, and said court shall have jurisdiction to hear and determine and render judgment upon the same upon the following basis: The court shall ascertain and allow the additional cost which was necessarily incurred by the contractors for building the ironclad monitors Saugus, Cohoes, and Napa in the completion of the same by reason of any changes or alterations in the plans and specifications required and delays in the prosecution of the work: *Provided*, That such additional cost in completing, and such changes or alterations in the plans and specifications required and delays in the prosecution of the work were occasioned by the Government of the United States; but no allowance for any advance in the price of labor or material shall be considered which could have been avoided by ordinary prudence and diligence on the part of the contractors: *And provided further*, That the compensation fixed by the contractors and the Government for specific alterations in advance of such alterations shall be conclusive as to the compensation to be made therefor: *Provided*, That such alterations, when made, complied with the specifications of the same as furnished by the Government aforesaid: *And provided further*, That all moneys paid to said contractors by the Government over and above the original contract price for the building of said vessels shall be deducted from any amounts allowed by said court by reason of the matters hereinbefore stated: *And provided further*, That if any such changes caused less work and expense to the contractors than the original plans and specifications, a corresponding deduction shall be made from any allowance by said court."

Page 30, after line 14, insert: "That the claim of Priscilla J. Shipman, administratrix of the estate of John J. Shipman, deceased, late of the District of Columbia, for work done and materials furnished for the use of said District of Columbia by the deceased in his lifetime, be, and the same is hereby, referred to the Court of Claims for adjudication according to the fair and reasonable value of such work and labor and materials, the amount found due over and above any payments heretofore made in respect to said claim to be payable according to the provisions of the act of Congress approved June 16, 1880 (21 Stat. L., 284): *Provided*, That any judgment rendered under this act shall be payable in money, as other judgments against the District of Columbia are paid."

Page 30, after line 14, insert: "That jurisdiction is hereby conferred on the Court of Claims to readjudicate the case of J. E. Simpson & Co. v. The United States, being numbered 18028 on the docket of the said court, upon the evidence therein and such further competent evidence as may be adduced by either party within such reasonable time as the court may fix and determine, and if the said court shall find upon such readjudication that the said firm sustained damage or loss in the construction of a timber dry dock for the United States at the New York Navy-Yard, during the years 1887 to 1890, by reason of the fact that the soils underlying the site selected and provided for the said dry dock by the United States were unstable or were not as described by a profile and report furnished to the said firm by agents of the United States prior to the execution of the contract for the said dry dock between the said firm and the United States, the said court is hereby authorized and empowered to enter judgment in favor of the said firm for the amount of its damage or loss so found."

Page 30, after line 14, insert: "That the United States Court of Claims be, and is hereby, given jurisdiction to rehear and render judgment, without regard to the statute of limitations, in the claim of John L. Smithmeyer and Paul J. Pelz, for compensation for their services in preparing the plans for the building for the Library of Congress, and no prior settlement or adjudication of their claim for compensation for said services shall be a bar: *Provided, however*, That the measure of compensation shall be awarded upon a quantum meruit basis for all services rendered until such plans were accepted by the United States; and in the absence of express contract the rate of compensation subsequently paid to the claimants for services in the construction of the Library building shall not be evidence of the value of the services of claimants in preparing such plans: *And provided further*, That the measure of compensation shall not exceed the rates and rules established by the custom and usage of the profession of architects for such services, and in no event shall such compensation exceed the sum of \$50,000; and the evidence heretofore taken and used by either party in the Court of Claims shall be competent in this suit and considered with such other evidence as either party may introduce."

Page 30, after line 14, insert: "That the claims of the legal or equitable owners or claimants of the float or lighter known as 'Southern Railway Lighter No. 10,' and cargoes, freight, and personal effects

thereon, alleged to have been sunk, lost, or greatly damaged by collision with the United States Army transport Sumner, in the harbor of Norfolk, Va., on or about the 17th day of March, 1900, be referred to the Court of Claims, with jurisdiction and authority to hear and determine the same to judgment, with the right of appeal as in other cases: *Provided*, That no suit shall be brought under the provisions of this act after six months from the date of the passage thereof: *And provided further*, That no judgment shall be rendered against the Government unless it shall affirmatively appear from the evidence adduced that such collision was the result of negligence on the part of the United States or its agents."

Page 30, after line 14, insert: "For reference to court of admiralty."

Page 30, after line 14, insert: "That the claims of the owners, master, and crew of the schooner Ella M. Doughty, of Portland, Me., for damages and losses sustained by reason of collision of the United States battle ship Massachusetts with said schooner off South Shoal light-ship on or about the 27th day of June, A. D. 1901, be, and the same are hereby referred for examination and adjudication to the district court of the United States for the district of Maine; that said parties, or such of them as shall choose to join therein, may, at any time within twelve months from the final passage of this act, file in said court a petition, which thereafter may be amended at the discretion of the court in the same way that other pleadings in said court are amendable, which petition shall set forth all the material facts upon which the said parties jointly or severally rely in support of their said claims; and the court shall thereupon order such notice to be given to the United States, or to its representatives, and such further proceedings to be had as to answers or other pleadings in said case as it shall deem proper; that in regard to the trial or hearing of said cause the same rules and modes of proceedings as to evidence, mode of trial, liability for damage, and measurement of damages, and otherwise, including the right of appeal, shall apply as in other causes of admiralty between individual owners of colliding vessels, and shall also be determined upon such legal or equitable principles as shall be applicable thereto; that said claims shall not be barred by any statute of limitations; and should it on the said trial or final hearing be determined that anything is due to the said parties, the said court shall render judgment therefor against the United States for the amounts so found to be due to them jointly or severally and certify the same to the Secretary of the Treasury of the United States for payment; and the sum necessary to pay the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

Page 30, after line 14, insert: "That the claims of the owners and officers of the brig Olive Frances, of Machiasport, Me., and others on board said brig, for damages and losses sustained by reason of collision of the U. S. gunboat Winoski with said brig, on July 30, A. D. 1866, be, and the same are hereby, referred for examination and adjudication to the district court of the United States for the district of Maine; that said parties, or such of them as shall choose to join therein, may, at any time within twelve months from the final passage of this act, file in said court a petition, which thereafter may be amended at the discretion of the court in the same way that other pleadings in said court are amendable, which petition shall set forth all the material facts upon which the said parties jointly or severally rely in support of their said claims; and the court shall thereupon order such notice to be given to the United States, or to its representatives, and such further proceedings to be had as to answers or other pleadings in said case as it shall deem proper; that in regard to the trial or hearing of said cause the same rules and modes of proceedings as to evidence, mode of trial, liability for damage, and measurement of damages, and otherwise, including the right of appeal, shall apply as in other causes of admiralty between individual owners of colliding vessels, and shall also be determined upon such legal or equitable principles as shall be applicable thereto; that said claims shall not be barred by any statute of limitations; and should it on the said trial or final hearing be determined that anything is due to the said parties, the said court shall render judgment therefor against the United States for the amounts so found to be due to them jointly or severally and certify the same to the Secretary of the Treasury of the United States for payment; and the sum necessary to pay the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

Page 30, after line 14, insert:

"RELIEF FROM LIABILITY."

Page 30, after line 14, insert: "That the Secretary of War be, and he is hereby, authorized and directed to release Central University of the State of Kentucky, and A. R. Burnam and John Bennett, sureties, from the payment of \$556.72 for small arms and ordnance stores furnished Central University of the State of Kentucky, which were lost, destroyed, or taken away without fault or negligence of Central University of the State of Kentucky, or the sureties, A. R. Burnam and John Bennett."

Page 30, after line 14, insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit James Denton, collector of internal revenue for the eighth district of Kentucky, with the sum of \$57,189.77 (loss of tax-paid spirits stamps to the amount of \$49,401 and stubs or coupons to the amount of 7,788.77) for stamps charged to him and lost in transit."

Page 30, after line 14, insert: "That Robert D. McAfee and John Chiatovich be, and they are hereby, released and discharged from all obligation to the United States on account of the official bond executed by them on the 14th day of February, 1890, as sureties for the late Elias B. Zabriske, as melter and refiner of the United States mint at Carson City, Nev."

Page 30, after line 14, insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to accept the sum of \$23,897.70 from the heirs or legal representatives of D. C. McCan and Edward Conery, sr., sureties on the bond of Andrew W. Smythe, formerly superintendent of the mint at New Orleans, La., in full settlement and compromise of all claims on the part of the United States against the estates of D. C. McCan and Edward Conery, sr., their heirs, legatees, and successors, growing out of and arising from the judgment rendered against them and in favor of the United States in the United States circuit court for the fifth circuit and eastern district of Louisiana, New Orleans division, in the cause entitled 'United States against Andrew Smythe and others,' numbered 12329 of the docket of said court; and that, upon payment of said sum, full receipt and acquittance be granted to said parties."

Page 30, after line 14, insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit the accounts of Louis J. Souer, collector of internal revenue for the collection district of Louisiana, with the sum of \$3,861.88, being the value of coupons of

tax-paid spirits stamps forwarded by registered mail March 21, 1902, under regular instructions of the Commissioner of Internal Revenue, to the Treasury Department, which were destroyed by fire in a railway postal car near Charlottesville, Va."

Page 30, after line 14, insert: "That Brig. Gen. Wager Swayne be credited with \$4,000, which sum was paid over to him by Capt. W. B. Armstrong, adjutant-quartermaster, and by said Swayne disbursed on account of the bureau of refugees, freedmen, and abandoned lands."

Page 30, after line 14, insert:

"LIMITATION."

"In case of the death of any claimant, or death or discharge of any executor or administrator of any claimant herein named, then payment of such claim as herein provided shall be made to the legal representatives: *Provided*, That where a claimant is dead the administrator, executor, or legal representative shall file a certified copy of his bond, which bond must be at least equal in amount to the sum hereby appropriated: *And provided further*, That in all cases where the original claimants were adjudicated bankrupts the payments shall be made to the next of kin instead of to assignees in bankruptcy; but these provisions shall not apply to payments in the cases of the French spoliation claims, which shall be made as heretofore prescribed in this act: *And provided further*, That wherever under this bill it is provided that a payment be made to an executor or an administrator, whether original or ancillary or de bonis non, and such executor or administrator is dead or no longer holds his office, the payment shall be made to the successor therein, his title to hold such office being established to the satisfaction of the Secretary of the Treasury."

The bill was reported to the Senate as amended.

Mr. WARREN. The senior Senator from Virginia [Mr. MARTIN], a member of the committee, has called my attention to the possible necessity of an amendment to come in at the end of the bill, which I will ask him to read.

Mr. MARTIN. After the word "Treasury," page 224, line 23, I move to insert the following:

And whenever under this bill it is provided that a payment shall be made to a corporation and such corporation has been merged in or consolidated with another corporation payment shall be made to the corporation with which the consolidation or merger has been made.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia to the amendment of the committee as amended.

The amendment to the amendment was agreed to.

The amendment was ordered to be engrossed and the bill read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the allowance of certain claims reported by the Court of Claims, and for other purposes."

HEIRS OF JOHN C. RIVES, DECEASED.

Mr. GORMAN. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3718) to quitclaim all the interest of the United States of America in and to all lands lying in the District of Columbia and State of Maryland to heirs of John C. Rives, deceased.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of the Interior to grant and convey unto the heirs and assigns of John C. Rives, deceased, of the State of Maryland, all the right, title, and interest of the United States in and to a certain lot of land lying partly in the District of Columbia and the State of Maryland, consisting of about 52 acres, more or less, as described in the will of John C. Rives.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CUSTIS PARKE UPSHUR.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the Calendar under Rule VIII.

The bill (S. 2020) for the relief of Custis Parke Upshur was announced as first in order on the Calendar.

The PRESIDING OFFICER. This bill was considered as in Committee of the Whole January 6, and read in full.

Mr. PLATT of Connecticut. Is there a report?

The PRESIDING OFFICER. There is.

Mr. PLATT of Connecticut. I wish that it might be read.

The PRESIDING OFFICER. The bill was read and considered as in Committee of the Whole January 6, and the reading of the report was not concluded at the close of the morning hour. Does the Senator from Connecticut desire to have the entire report read?

Mr. PLATT of Connecticut. I should like to have it read or to have some statement of what the bill is.

The PRESIDING OFFICER. The Secretary will read the report of the committee.

The Secretary proceeded to read the report submitted by Mr. FULTON, from the Committee on Claims, February 24, 1904.

Mr. WARREN. In view of the fact that the bill is included in the omnibus claims bill, I ask that it be passed over without prejudice.

The PRESIDING OFFICER. Such will be taken as the sense of the Senate, in the absence of objection.

REFERENCE OF REPORT OF MERCHANT MARINE COMMISSION.

Mr. GALLINGER. Mr. President, some days ago I submitted in behalf of the Merchant Marine Commission a report which was ordered printed, but it was not referred. This morning the views of the minority were presented and referred to the Committee on Commerce, and I now ask to have the report which I submitted some days ago formally referred to the Committee on Commerce.

The PRESIDING OFFICER. The report, which has been heretofore ordered printed, will be referred to the Committee on Commerce.

NATIONAL PARKS IN CALIFORNIA.

The bill (S. 3376) to authorize the Secretary of the Interior to acquire for the Government, by exchanges of public lands, the ownership of the private lands within certain public parks in the State of California, was considered as in Committee of the Whole. Wherever, and to the extent that the lands within the Sequoia National Park, the Yosemite National Park, and the General Grant National Park, in the State of California, are held in private ownership, the Secretary of the Interior is authorized, in his discretion, to exchange therefor public lands of like area and value which are vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes.

The bill was reported to the Senate without amendment, ordered to engrossed for a third reading, read the third time, and passed.

LANDS FOR WANDERING INDIANS IN MONTANA.

The bill (S. 2705) for the relief of wandering American-born Indians of Rockyboy's band, Montana, was read and considered as in Committee of the Whole, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, with the consent of the Indians of the Joco (Flathead) Reservation in the State of Montana, to be obtained in the usual manner, to set aside a tract of land in compact form within the boundaries of said reservation, sufficient in area to give not to exceed 40 acres each of arable land to such members, including men, women, and children, of the migratory band of Indians now roaming in said State, and known as Rockyboy's band, as shall, upon investigation, be satisfactorily shown to have been born in the United States and who may desire to settle permanently upon said reservation; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$8,800, or so much thereof as may be necessary, to pay the Indians of the Flathead Reservation at the rate of \$2 per acre for the lands relinquished and set apart for said migratory Indians; and a further sum of \$10,000, to be expended in assisting said Indians in making homes for themselves on said reservation; in all, \$18,800, to be immediately available.

Mr. TELLER. Who reported the bill?

The PRESIDING OFFICER. The bill was reported by the Senator from Nevada [Mr. STEWART], from the Committee on Indian Affairs, without amendment.

Mr. TELLER. Is there a written report?

The PRESIDING OFFICER. There is.

Mr. TELLER. Let it be read.

The PRESIDING OFFICER. The report will be read.

The Secretary proceeded to read the report submitted by Mr. STEWART, from the Committee on Indian Affairs, February 26, 1904.

Mr. TELLER. The chairman of the committee has explained the bill to me and I understand what it is. I withdraw my request for the reading of the report.

Mr. PLATT of Connecticut. There is only one thing to be said relating to the passage of this bill. It establishes a precedent for the Government to buy lands for Indians who are wandering or who are not already on lands, for the purpose of settling them on the lands. It is the commencement of what may prove to be a very large and expensive policy.

Mr. TELLER. I have no doubt about it.

The bill was reported without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATEHOOD BILL.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which is House bill 14749.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

Mr. STEWART. Mr. President—

The PRESIDING OFFICER. The senior Senator from Alabama [Mr. MORGAN], pursuant to notice, is entitled to the floor. Mr. MORGAN rose.

Mr. STEWART. I should like to give notice that when the Senator from Alabama gets through I shall make some remarks on the pending bill.

Mr. MORGAN. Mr. President, in the consideration of this measure, which in its final effect is not a bill, but a concurrent resolution of the two Houses of Congress, since its real vital force is the creation of two States by compact with four Territories, the Senate is performing, conjointly with the House, the highest, most independent, and most discretionary function that is confided by the Constitution to any branch of the Government.

It is the highest function of the Government under the Constitution of the United States, because it is creative of new States that are invested with the sovereignty that is intrusted to a body of our people for all the purposes of local self-government and will forever stand more nearly related to their personal rights, duties, and obligations, and are more their protector, ruler, judge, and servant than any other power in the Republic. It is the most independent branch of the Government, because no Department can direct or control or reverse or repeal its final decree, or place any limits upon its discretionary right to admit or to refuse to admit States into the Union.

In the exercise of this discretion the two Houses are not expressly confined by the Constitution to any method of procedure or to specific requirements as to the conditions upon which statehood may be granted to the people who apply for it. But no Senator or Representative is ever relieved from the obligation to support the Constitution in every official act he may perform.

The powers we are now employing in the consideration of this measure are closely analogous to that of making treaties, but are intrusted to different agencies, and the agreements with the people must be ratified by them, through their local governments, before the Houses can accept them. The powers conferred upon the Houses is to admit States, not masses of unorganized people, into the Union, and with their consent, which does not admit of any form of compulsion or duress; and the admission necessarily presupposes an application for admission on the part of the people.

Every Member of Congress must determine for himself whether the admission of a new State is in harmony with the purposes of government that are defined in the Constitution, and whether the people who are to constitute the State and exercise their sovereign powers in its control are the sovereign people who established the Republic and ordained the Constitution. In my judgment this is still the leading and indispensable condition for conferring statehood upon any body of people.

No change in the Constitution has been made by amendment that makes this condition any less obligatory and imperative than it was when the Constitution was ordained, and I can not vote to confer the sovereign rights and powers of statehood upon any race of people who were not admitted as participants in the establishment of the statehood of the original thirteen States and of the Republic of the United States of America.

THE GREAT DECREE OF THE PEOPLE.

The nationality that the sovereign people of the United States established for a new nation and as a distinct people separate from all other peoples and nations was established and defined by their own decree in the preamble to the Constitution of the United States in the following words:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

The people of the United States date their legal existence as a separate, free, and sovereign people from that decree, which crystallized into the fundamental and paramount law of the Republic all that had been learned by the experiences of the Revolutionary war and all the better traditions of our race. They then assumed to themselves, in this formal decree, all the rights, powers, and obligations of sovereignty and independence and took their place among the nations of the earth as a united Republic composed of sovereign people whose rightful powers of self-government no other people had ever asserted or assumed, and of sovereign States whose foundations are immovable and perpetual.

Thus there came forth, in its first appearance in human government, a nation and a dynasty of the sovereign people of sovereign States united in a Republic. This great aggregate, as well as every unit of the grand sum of the people of the

United States, comprised a body politic composed of people and States that assumed to be dynastic, and asserted for themselves supreme and perpetual lordship and dominion as a race of rulers and law givers in the several States and in the United States. They decreed that these people, in the exercise of these powers, should rule in pursuance of law and that laws should be provided to define and regulate the electorate and to provide for the selection of officers to conduct the Government. These elections perpetuate this sovereign dominion and are, therefore, the vital force as well as the regulating power of the Republic.

THE ELECTORATE.

It was not intended that every inhabitant of the States that formed the Union, and of the Territories, should be a factor, elector, or participant in the exercise of the sovereign powers of the people of the United States. To prohibit such a pretension, it was declared in this great decree of "the people of the United States" that the Constitution was ordained "in order to secure * * * the blessings of liberty to ourselves and our posterity."

In the establishment of the plan of the Republic, which is more important than any single provision that was adopted to execute it, it was not intended to leave the plan or its purposes within the reach of the power to amend the Constitution, but that these should remain inviolable, like the suffrage of the States in the Senate. Certain purposes are named, to accomplish which the Government of the Republic was ordained, and a certain class of people named, who are set apart to execute the sovereign power of conducting the Government of the people and by the people. Among these purposes none was more indispensable than the description or definition of the race of people upon whom the sovereignty was devolved and to whom it should be transmitted by laws through all coming generations. This great fact was settled in the preamble to the Constitution, and no room was left for the change of that decree by amendment of the Constitution. If it is changed by legislative enactment, such a law is an arbitrary usurpation. If it is changed by amendment of the Constitution, such an amendment revolutionizes the declared purposes and the plan of the Government of the Republic. When the people see the wrong that is done them in their sovereign and racial rights they will never cease work until they revoke such amendments by the exercise of their sovereign power through elections. But when this sovereign power is invaded by laws or constitutional amendments that deprave the electorate and force the States to share their sovereignty in the rightful powers of government with alien and inferior races who had no part in establishing the States or the Union, a wrong is done that so exasperates the people that they also are infected with an arbitrary and dangerous spirit of disobedience to law. I am not willing to encourage such degeneracy by my vote in the Senate, and this is the necessary effect of the provisions of this bill, and no change has been made in the Constitution that alters or abrogates the racial decree of the preamble of the Constitution. No race of people, who were excluded from classification, as "the people of the United States" have been admitted to the electorate by any amendment of the Constitution.

THE MEN WHO ORDAINED THE PLAN.

The men who established the plan of our republican Government and ordained the Constitution to carry it into effect were as wise as any who have succeeded them, or as any who had lived before them. The people they represented were not excelled by any in their virtues, their experiences, their intelligence, their self-reliance, and their appreciation of the blessings of liberty and independence.

They knew what they were doing; the magnitude of the task they undertook; the necessity for precision in declaring their will; so that nothing should be loosely stated or left in doubt as to what they intended.

No instrument was ever formed for the organization of government, in all its parts, that was more perfectly original and unprecedented; or that more completely provided for the formation of a union of sovereign states; or for the preservation of the rights of a sovereign people; or to prevent the intrusion of other people into their sovereignty; or for the proper distribution of the powers and functions of Government into official hands; or for the preservation of a sovereign electorate against debasement by alien and inferior races. It is perfect in all these provisions.

The plan of the republic and its purposes, as they are stated and fixed in the preamble to the Constitution, is a limitation, by agreement, embodied in a perpetual and irrevocable ordinance, fixing the scope and character of the provisions of the Constitution to be ordained by the convention, and the entire body of these laws was carefully adjusted to that plan.

The self-defining statement that "we, the people of the United States, do ordain this Constitution" referred to other inhabitants of the States and Territories who, at that time, were racially distinguished from the people of the United States. They were the negro race, who were then held in slavery, and were so recognized, in terms, by the Constitution, and Indian tribes, organized in separate but independent tribal governments; and Indians in the States who were not taxed.

THE RACIAL DESIGNATION OF THE SOVEREIGN PEOPLE.

That protection was not left to the capricious and dangerous control of ambitious, or altruistic, or facile, or corrupt politicians, who might find their advantage in the enactment of laws for the extension of the electoral power of the people, so as to include the lower classes and races of mankind. It was based upon the only safe and sure ground left to them, by limiting the right to exercise these sovereign powers to "ourselves and our posterity." The racial plan of exclusion was adopted because it was necessary to confine these powers to the white race.

If all the people who inhabited this country had been of the white race the words "ourselves and our posterity" would not have been inserted in the preamble to the Constitution. There were great numbers of obnoxious and revengeful Tories in the country when the Constitution was formed, but it was the true conception of statesmanship that the line of exclusion from the governing power should not be drawn with reference to political differences, however bitter they might be, for time would heal them; but the differences of blood between the white race and the inferior races would create unceasing discord in the government, as is now, unfortunately, the case.

If Indians in tribes, or Indians not taxed, and their following of runaway negroes and their posterity, and Mexicans, such as are marshaled as sovereign electors in this bill, had appeared by their delegates in the convention that ordained the Constitution of the United States, claiming that they were a rightful part of the sovereign people of the United States, and that they and their posterity should be included in the sovereign electorate, their expulsion from that body would have been summary and indignant. Unless the preamble to the Constitution has been abrogated, these races are still excluded from the rightful exercise of the sovereign powers of "the people of the United States."

The delegates who ordained the Constitution of the United States and their constituents came from former colonies, recognized as independent States in Jay's treaty, that were governed by white men, who, almost without exception, had experienced all the hardships of the war of the Revolution.

In molding the results of their great achievements into a form of government that was without precedent and is without fault they considered, with the most careful deliberation, every danger to be avoided in the future and every right that should be secured to the people of the States and the Federal Government. They gave to their posterity the wisest and best plan of government that has ever been devised or that will ever be projected, and secured its sovereignty in their hands by a decree that is its strongest bond of perpetual union.

If there remains an element of disintegration in our Government it is the expansion of statehood, so as to admit the inferior races into the exercise of the sovereignty that belongs to the white race, and the conferring upon them, by acts of Congress, equal powers in the electorate, through which alone that sovereignty can be exercised.

We have already enough inhabitants in our insular possessions to form twenty States, each of 500,000 population, nearly all of whom are of inferior races. Who dares even to contemplate this transfer of the sovereign powers of the Government of the United States into their hands?

If we add to this dangerous problem the change of our laws of naturalization, whereby every race of men can acquire citizenship of the United States and of the States in which they may reside under the fourteenth amendment, and then protect them, as is attempted to be done in this bill, against being denied the right to vote by laws that discriminate against them on account of race, color, or previous condition of servitude, we will find that in less than twenty-five years a very large control of the sovereign voting power of the States west of the Mississippi River will have passed into the hands of Chinese and Japanese; and the Gulf and South Atlantic States will be overwhelmed with naturalized negro voters from the Caribbean and other islands and coasts, and from Africa.

Every step that has been taken and every effort that has been made to degrade or destroy the sovereignty of the white race that was secured to them by the recognition of their racial blood and its flow in the hearts of their posterity has resulted from the coveting of power to control the Government by ambitious men or by sections of States that have been moved through

jealousy or greed, or through a mistaken sentiment of philanthropy to assail and destroy the property and the political rights of the people of other States that are expressly guaranteed to them in the Constitution.

THE STATES, AS WELL AS CONGRESS, HAVE BEEN IN CONSTANT WARFARE AGAINST THE ORIGINAL SOVEREIGN RIGHTS OF THE ELECTORATE.

It is not to decry or to lament over the terrible results that have followed these historic events that I would now claim the indulgence of the Senate, but to point out the character of the legislative measures that Congress and many of the States have employed in promoting the invasion of the sovereign rights of "the people of the United States"—the white people—to which I have referred.

Citizenship of the United States and of the States has been made the legislative highway for the people of other races and of other nations to enter upon and enjoy the rights, powers, and privileges that are reserved in the Constitution to the people of the United States.

Citizenship of a State or of the United States does not admit aliens, whether by race or place of birth, to participation in the governing power that belongs to the people of the United States as they are defined by race in the preamble to the Constitution. That definition did not relate to the fact of citizenship as a qualification for admission to the enjoyment of these reserved and exclusive rights and powers of sovereignty. The delegates in the convention that ordained the Constitution, and of every State convention that ratified it, and their constituency in all these assemblies, were white people, and the delegates to the Confederate Congress, which had governed the country for eleven years, were white people.

If they were intended to confer the right to vote upon negroes, subject to these qualifications, they would thereby prohibit the States from authorizing the negro women, or male negroes under 21 years of age, or any negroes who are not citizens of the United States to vote. The right would be exclusive of all negroes not described in these amendments. They were only intended to control the action of the States in respect of a certain designated class of negroes. The right to vote, as recognized in these amendments, depends upon other qualifications in addition to citizenship. Citizenship, standing alone, does not confer upon negroes any right to vote.

The two rights, or privileges, of citizenship and voting are entirely separate and distinct until they are expressly connected by some law of a State, and this is the ruling of our Supreme Court.

In the Slaughterhouse Cases (16 Wall., 36) it was held by this court that the first clause of the fourteenth article was primarily intended to confer citizenship on the negro race, and, secondly, to give definitions of citizenship of the United States, and citizenship of the States, and it recognized the difference between citizenship of a State and citizenship of the United States by those definitions; that the privileges and immunities of citizens of the States embrace generally those fundamental civil rights for the security and establishment of which organized society was instituted, and which remain, with certain exceptions mentioned in the Federal Constitution, under the care of the State governments, while the privileges and immunities of citizens of the United States are those which arise out of the nature and essential character of the National Government, the provisions of its Constitution, or its laws and treaties made in pursuance thereof, and that it is the latter which are placed under the protection of Congress by the second clause of the fourteenth amendment.

I quote from an opinion of Chief Justice Fuller.

NATURALIZATION.

After having settled and established the plan and purposes of the Republic in the preamble to the Constitution, and after defining the sovereign constituency of the people of the United States as the inheritance of the white race, the convention took up the question of the citizenship of persons—not of races—who would come here and find welcome in this favored land.

They did not touch the right to vote, except to recognize it as a matter that was subject to the exclusive jurisdiction of the States.

In providing for the election of President and Vice-President and of members of the two Houses of Congress, it was left exclusively to the States to decide the qualification of voters, and these are the only elective officers that participate in the Government of the United States.

When the convention proceeded to provide for conferring the right of nationality upon aliens no reference was had to the privileges and powers that attend the naturalization of such persons. All that matter was left to be decided in accordance with law, as incidents of naturalization. These incidents are strictly personal to the naturalized and adopted citizen, as contradistinguished from political rights. Naturalization conferred no rights except such as belong to allegiance in its simplest form and the corresponding duties and obligations.

Because an alien is, by adoption, admitted to the enjoyment

of the rights of citizenship, it does not follow that such adoption entitles him to vote in the government of the country.

One of the most radical and far-reaching dangers of this measure is its effect in transforming the lowest of the wretched classes who inhabit these proposed States into citizens of Arizona and Oklahoma by the action of Congress.

This transformation by the single act of qualifying them as voters at the elections required by this bill is settled law under the decisions of the Supreme Court, from which I will read extracts, as follows:

As remarked by Mr. Chief Justice Waite in *Minor v. Happersett* (21 Wall., 162, 167), "Whoever, then, was one of the people of either of these States when the Constitution of the United States was adopted became ipso facto a citizen—a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were."

"Admission on an equal footing with the original States, in all respects whatever, involves equality of constitutional right and power, which can not thereafter be controlled, and it also involves the adoption as citizens of the United States of those whom Congress makes members of the political community, and who are recognized as such in the formation of the new State with the consent of Congress."

I am not discussing the question whether any Indians should be admitted to the sovereign powers that belong to the white race in the States. That matter should be left to the disposal of the States after they are admitted into the Union.

My contention is that the white race in the Territories are alone entitled to participate in creating the organic law for States to be admitted into the Union. I adopt as my guide in this contention the following clear statement of the law, by Mr. Justice Mathews, in *Marshall v. Ramsay* (114, U. S.):

The right of local self-government, as known to our system as a constitutional franchise, belongs, under the Constitution, to the States and to the people thereof, by whom the Constitution was ordained, and to whom by its terms all power not conferred by it on the Government of the United States was expressly reserved.

But I am discussing a matter that is settled by our Supreme Court and is so thoroughly understood that I would apologize for referring to it if this bill did not make the right to vote for delegates to the Constitutional Convention, on the ratification of State constitutions, and in the election of Senators and Representatives in Congress, to result from citizenship of the United States, conferred by act of Congress upon alien persons, and upon tribes of alien people.

Civilization forced upon savages by powder and shot and education of illiterates by compulsion are bound to fail; and the power to control in the affairs of government, given to those who do not comprehend the principles of government, is suicidal.

Efforts to lift races of people who have never made a voluntary approach toward light and knowledge, by compulsion, into full equality with the races that lead the marvelous procession that is bearing the banner of the highest civilization to the zenith of human endeavor, not only fail, but they create impediments to their successful work that weaken, if they do not destroy the progress of the true forces of this grand movement toward the accomplishment of the divine purpose of the redemption of the depraved, the vicious, and the ignorant.

This great and noble work belongs to the citizenship of the Republic upon whom was developed, in the beginning, the sovereign ruling powers of government. It can not be truthfully asserted that the convention of 1789 intended, or even contemplated, that the power of naturalizing aliens, which was surrendered by the States to the exclusive control of Congress, would be used to confer the sovereign powers of government upon the negro race, then under the yoke of bondage, which was fastened upon them by the express provisions of the Constitution; or upon the Indian tribes that were provided for as autonomous but dependent nations; or upon Indians untaxed, who were denied any place, even as inhabitants of the country, in our scheme of government; or upon any race of men who were alien in blood, to the people of the United States.

WE ACQUIRED DOMINION OVER THE INDIAN TRIBES AS SUBJECTS.

On the contrary, all the great nations of Europe, as well as the people of the United States, at that time, regarded Indian tribes as subject nations whose sovereignty yielded to that of the white race from the moment that the eye of the discoverer saw the mouth of a great river on whose banks they had their homes. That was the law in Europe and of the United States, on which is founded the white man's sovereignty over every inch of the Western Hemisphere.

This discoverer landed and raised a flag, after having insulted the Deity with a prayer, and, in the name of his sovereign, he usurped the title of the land, back from the sea to the entire watershed of the river, and he thus established the dominion of his sovereign over all people who were its inhabitants.

This was not naturalization, it was arbitrary conquest, and these inhabitants became subjects, not citizens.

We took over from Great Britain, France, Spain, Mexico, and Russia these subject Indian tribes, at different intervals in history, without any change in their political relations except a change of allegiance, which more resembles the allegiance of a dog to a new master than it answers to the change of allegiance to citizenship by the voluntary act of these Indian tribes.

Recently we have been disbanding these tribes by compelling them to surrender their tribal dominion over their reservations, and are just beginning to confer upon Indians who accept separate locations of lands in lieu of their tribal rights the mockery of a citizenship of the United States, in name merely, without any participation in the sovereign powers of government.

I do not deny the power of Congress to change the legal classification of these Indians from subjects to citizens, their allegiance to the United States having been established by birth and our right to govern them having been thus acquired by their nativity and by our dominion over their native country. All of these consequences come from the laws of nations and are firmly established, but "without the consent of the governed."

I do deny that the power given to Congress exclusively in the Constitution to "establish a uniform rule of naturalization" has any reference to the Indians who are natives of the country that is within the sovereign dominion of the United States. Whatever "an uniform rule of naturalization" may mean it does not apply to persons who are not aliens by birth, nor has Congress ever so construed it. On the contrary, whenever an Indian has received the legal status of citizen, it has been through a special statutory provision that changed his character, as the subject of a foreign country or of an Indian tribe, to that of citizen of the United States.

The rule of naturalization provided in the Constitution has no relation to citizenship thus created. Neither does that rule apply to negroes born in the United States or elsewhere, or to negroes imported as slaves from a foreign country.

Indians and negroes born in this country, whether in States or Territories, are necessarily excepted out of the operation of "an uniform rule of naturalization" which Congress can adopt, by the other provisions of the Constitution that place them upon an exceptional and peculiar basis respecting all their rights, personal as well as political, that is totally irreconcilable with their acquiring the full sovereign citizenship of the people of the United States.

As to "Indians not taxed," they are excluded from the basis of apportionment as human waifs who are not entitled even to be counted as inhabitants, and this obliteration as factors in government is solemnly repeated in the fourteenth amendment and in the laws of New Mexico, Arizona, and Oklahoma.

The negro is lifted up by all these laws from the same or a lower state of civil capacities, imposed upon that race by many express provisions of the Constitution of the United States, by the force of some statute, and has citizenship forced upon him by special provisions of law, without reference to the uniform rule of naturalization which Congress had power to establish under the Constitution. By taxing Indians they are made citizens and are permitted to vote, with the result, as matter of fact, that they refuse to vote for fear of being taxed.

This bill clearly and, no doubt, purposely places it in the power of the legislatures of New Mexico and Arizona to make a voter of every wild "blanket Indian," and to throw his weight in the scale to carry the election in any direction the politicians may choose. Tax these Indians a penny and then buy their votes with a dime, or a drink of whisky, would be an easy task for the practical politician of these times. This wise opening for corruption is only one of several provisions of this bill that will be used in the work of creating two States for admission into the Union.

This peculiar citizenship that we have been conferring upon Indians and negroes in the Territories has no relation to the fourteenth and fifteenth amendments, which do not extend to the Territories, so as to protect negroes there in the right to vote, and they do not extend to Indians anywhere.

In this peculiar situation the question arises, Can Congress confer upon Indians and negroes in the Territories those sovereign rights that belong to the people of the United States to control and participate in the Government of the United States and of States in the Union that are the vital powers of the Republic and the heritage of the white race? I need not discuss the question whether Congress can add to the number of these sovereign Americans by so adopting, as citizens, the alien people of other nations and races under "an uniform rule of naturalization." We are not proceeding under that rule, as to Indians and negroes, and have never done so.

I will, however, take occasion to say that, in my judgment, the "uniform rule of naturalization" provided in the Constitu-

tion was never intended to apply to the inferior races of mankind. It was made subject to the broader and higher rule, in the preamble to the Constitution, which ordained, consecrated, and set apart the sovereignty of the Republic to the service of the white race and their posterity. That is the ruling race and has been since the dark ages; and it is not unjust to any American white man, or dangerous to the general welfare, that persons of that race who are aliens only in allegiance should be permitted to participate in the sovereign powers of the States and the Republic. But no one can exaggerate the danger, difficulty, and distress that must be created by extending these sovereign powers to inferior races by giving them the ballot.

In conformity with the spirit and principles of the Constitution, headed by the great decree of our fathers, which so profoundly expresses their will as to the preservation and perpetuation of the liberties transmitted to their posterity, Congress should select the white race to prepare these Territories for statehood. All the laws that obtain there, and all the great progress that has been made there, are the fruit of the genius of the white race and of their intrepid courage and industry. No average equal number of people in any of the States are in any way superior to them, or have done more to develop and support the prosperity of the country, or to protect its interests and honor in peace and in war, and they should continue to rule in the States when they are admitted into the Union.

What sovereign rights it may be wise and just to confer upon Indians, the original owners and rulers of the country, who are thereby entitled to special consideration, should be done by compact with the tribes under the requirements of our laws of naturalization, made uniform as to all Indians. Under such laws their conduct and disposition toward the Government and its laws would be ascertained by examination and proof as to each applicant for these rights.

But the true constitutional plan for conferring upon Indians the right to vote is to leave that power to the States, as it was left to them in the Constitution when it was ordained.

LIBERAL REWARDS FOR CONSOLIDATION.

The picture that is so vividly presented in this bill, showing the work of political gamblers, who are disregarding all sound principles of government and all worthy precedents in order to gain some sectional, political, or personal advantage, is really abhorrent to the conservative sentiment of the people of the United States.

After Congress is asked in this bill to consolidate these four Territories by its legislative act, without consulting the will of their inhabitants, who are made qualified voters for all other purposes, and thereby to repeal all the laws of the United States that have built up and sustained their local governments and their civil autonomy; then, in order to force this consolidation upon an unwilling people, enormous sums of money are voted from the Treasury of the United States, and vast areas of land from the public domain are offered to these new States to induce the inhabitants to elect delegates and form a constitution that is virtually prepared for them in advance of this bill.

That constitution, if it is ratified, carries with it the question of consolidation and all other questions, and settles them forever against all subsequent disputes, and all effort of other States and of any Department of the Government to undo what is thus to be finally accomplished by the admission of these States into the Union will be in vain.

That rewards should be offered in this bill of extraordinary magnitude to secure such extraordinary results is a warning to the country that a course so arbitrary and so encouraging to the spirit of absolutism in Congress will lead on until the Union will become a patchwork of States, largely controlled by Mexicans, Indians, negroes, Chinese, Malays, and the white race, forced into political equality through the debasement of the sovereign powers of government into the worst form of communism. On this occasion opportunity is presented to Congress, without reference to questions that influence national politics, to act so as to put a final stop to this movement.

CITIZENSHIP AND VOTING ARE SEPARATE, AND ARE CREATED BY DIFFERENT JURISDICTIONS.

The armies that won our independence were white men. They were all represented in these conventions by white men, some of whom had never been naturalized as citizens, but they and their posterity were included in that grand body of people who were designated as "the people of the United States."

Admission to citizenship does not introduce any person of a colored or inferior race into the "posterity" of the people who established the Republic of the United States, nor does it confer upon them the right to participate in the exercise of the sovereignty of its government.

The United States has no voters who can participate, in vir-

tue of the authority of Congress, in any election in any State, and citizenship of the United States does not create or confer the right to vote. Until that right is conferred by State law it can not be exercised within a State. Citizenship, whether of a State or of the United States, is not required by the constitutions or laws of several of the States as a qualification for voting. An application for citizenship, founded on the declaration of the intent to become a citizen, is sufficient, in several of those States, to entitle an alien to the privilege of voting. In such a case citizenship can not be confounded with a right to vote.

Citizenship, sex, age, and residence are made qualifications for voting in all, or nearly all, the States as to all classes of people. In the fourteenth and fifteenth amendments to the Constitution all of these qualifications are made essential to "the right to vote." If they do not exist, there is no right to vote, on the part of the negroes which those amendments are intended to protect.

Sex, age, and residence are as essentially qualifications that entitle negroes to the protection of the fifteenth amendment, and for the punishment of States, under the fourteenth amendment, for excluding persons from voting, as race, color, or previous condition of servitude. These amendments do not attempt to confer upon negroes the right to vote.

They both concede to the States the exclusive right to create the right to vote, and when it exists these amendments provide for its protection. In the fifteenth amendment the method of protection provided in the fourteenth amendment is abrogated.

THE DESERT IS FORBIDDEN TO "BLOSSOM AS THE ROSE."

The situation in the region that not many years ago was called the "Great American Desert," and is now rapidly developing into a splendid country of great and varied resources of local and national wealth and power, demands better treatment than is given to it in the bill before the Senate.

The people of the United States are anxiously looking to the Senate for impartial, broad, and thorough consideration of this bill. They respond with thanks to the junior Senator from California for the clear and statesmanlike presentation of this great subject in his speech of Friday last on this bill.

The history of this legislation, as stated by that Senator [Mr. BARD], is a startling proof of a purpose to exercise arbitrary and absolute power in Congress to force a measure upon a people who have no representation in either House that is empowered to move an amendment or to vote on any question. He has established the fact that this measure is not only against their protest, but against their petition and their expressions of abhorrence at the treatment that is threatened to be inflicted upon them by act of Congress.

That such a measure should be forced upon such a people without a reading in one of the Houses of Congress, and passed under a rule that prescribed a time limit of three hours for debate, and cut off all right to offer any amendments not specified in the rule, is a warning to the Senate that careful deliberation and freedom of speech is required in this body. That Senator has not failed in his high duty to point out the weight and the danger of this method of treatment. He has also presented the facts from official records and other undeniable proofs, and from the laws enacted by Congress creating compacts with the people of these four Territories or clothing them with vested rights that are morally inviolable.

He has established the fact that this measure will dishearten the brave people whose labors have made "the desert to blossom as a rose," and that they must suffer heavy losses under the provisions of this bill. What have these people done, that they should be made to suffer such distress?

In these statements he has established, beyond denial, the injustice of this measure of compulsory statehood, which is sought to be forced upon them under conditions which make it a penal condemnation, rather than the noblest and grandest recognition of sovereignty that can be bestowed by a free people upon a sister State.

I am relieved by the clear and comprehensive statement of the Senator from any necessity of adding other facts to justify my opposition to this bill, and will discuss it upon the solid basis of fact and law he has established.

In the discussion of this measure it is due to its importance that the extraordinary provisions of the bill should be carefully examined, because there is drawn into it, without any necessity, many vital questions that affect the present and future rights of all the States and all the people of the United States and the powers of Congress and the President in dealing with them.

It must be intended by those who support this measure to establish precedents by its enactment that will stand to control

the future policy of the Government for all time, which are not necessarily involved in the question of statehood for either of the four areas of the Territories of New Mexico, Arizona, Oklahoma, and the Indian Territory. In the consolidation of these large areas into two States there is manifest injustice to all the States west of the Mississippi River as to their representation in the Senate.

In the provisions of this bill, and especially in its consolidation requirements, there are open, flagrant, and undisguised breaches of public faith, pledged in the laws and treaties under which the boundaries of those Territories have been defined and the civil and political rights of the inhabitants have been guaranteed, and there is an unjust and cruel invasion of the rights of person and property of many thousands of worthy people who have exposed their lives to danger, have suffered the hardships of frontier life, have expended their labor and taxed their industry, their skill, their property, both under tax laws and by private contributions, in organizing those Territories into civil governments.

An enumeration of the personal wrongs inflicted upon these people by the consolidation features of this bill would make a chapter in American history that no man could contemplate without just indignation, unless it is such a man as may have surrendered his sense of justice to the demands of cold political intrigue or of reckless ambition.

INJUSTICE TO THE STATES.

I will not undertake to enumerate those wrongs. They will be the burden of the complaint of many thousands of deceived and injured people that will be heard in this Chamber for many years to come. If we are indifferent to their wrongs, we may find a more influential reason for considering the national injustice of this measure in its distribution of the powers of government between the States as they are represented in the Senate, which is the body in which all the political powers of the United States are ultimately centered. An evident purpose of this bill is to deprive a vast and rich area of the public domain west of the Mississippi River of its rightful representation in the Senate by giving it only four Senators, when it is now entitled to eight, under the pledge of the Territorial laws and because of all that has been done and expended in obedience to them, and it will soon be entitled to more in consequence of the great population it will have.

In the aggregate it has a population of 1,163,312 by the latest census reports, which has been increased largely by immigration since that date, 1900. Each separate Territory in this area has a larger population now than four-fifths of the States had when they were admitted to statehood, and with our new plan of irrigation and the enormous mineral deposits there, and with the improvements in mining, and with the vast and valuable forests on these areas their future population must increase rapidly and to very large numbers. It is much the largest area of public lands left in the United States to be taken up by that class of white people whose fathers laid the foundations of the Republic in the revolutionary struggles of 1776. They have been the pioneers of all the other Southern and Western States, and they must either leave this continent in a few years or find homes in the great areas west of the Mississippi River. If Congress is willing that they should establish such homes, let it be done, as it was with their fathers, by giving them statehood that is worthy of their race, and not a mongrel sovereignty that will be equally controlled by people of every race who are there or may congregate in that country.

The motive for the consolidation of Territories by act of Congress and against the wishes of the people of Arizona and New Mexico, who have built up those Territories into civilization and progress of a very high order, is not to advance the interest and welfare of those people, but to subordinate them to the legislative power, in the Senate, of the smaller States in the Northwest.

This is an old controversy that has been persistently waged whenever a Southern State east or west of the Mississippi River has sought admission into the Union.

It has changed character, however. In the beginning the apportionment of power in the Senate was based upon existing organization, established as British colonies, without reference to area.

In this act established governments are dissolved and areas are consolidated that are all too large for a just apportionment of the Senate, and will soon be the homes of great numbers of people.

The purpose of retaining in the New England States their relative supremacy in the Senate which, in the beginning, was consolidated in a small territorial area, not one-fourth of the original thirteen States, but had a representation in that body equal to all the other original States, has never ceased to con-

trol their policy in the admission of new States into the Union. It is the chief support in the Senate to-day of the proposition in this bill to dismantle three organized Territories, really designed and intended by Congress and the people of those Territories to be admitted as separate States and so declared in the Territorial act of Arizona, and to construct two States out of their established limits. Nothing in the sacredness of a pledge of the Government to its own people seems to influence this close corporation to yield these advantages in the Senate.

Not content with its needless and destructive work of the spoliation of these Territorial governments, this bill reaches out to the unorganized Indian Territory and consolidates it with Oklahoma in order that it shall never, by any possibility, have the right of separate statehood.

The people of the Indian Territory need the civil organization and training of Territorial government to qualify them for statehood. No area of the United States ever stood in greater need of this preparation. It is an extraordinary situation in the Indian Territory that requires time, Government supervision, and careful adjustment to prevent and suppress evils that only slumber there and are ready for violent outbreak. This comes from the nature of the situation there and not from any unusual disposition of the Indians or the white men to do wrong or injustice to anybody.

I need not refer to the laws of Congress that for many years have been directed to the purpose of excluding white men from the great reservations now included in the Indian Territory.

They failed of their purpose, chiefly through the inducements offered by Indians to white settlers. The Indians owned the lands, forests, and mines of this splendid, fertile area, and white men were, in the main, hired by the Indians to open and cultivate the country, either as laborers or yearly tenants, and they have gone into that country with their families until they outnumber the Indians nearly three to one.

It is not conjecture, it is a lesson of history that must repeat itself, that these Indians will be ridden down and exterminated by the power of the white people if they are forced into statehood before they have had the time and experience to enable them to mature a plan of State government that will shelter them. This bill confesses the danger of the situation in the proviso to the first section, in which it is attempted to keep them under the control of the United States as Indians, while they are, as citizens of Oklahoma, subject to the laws of that State. This dangerous and unheard-of situation is created by this measure for no purpose that can be reasonably conjectured except to prevent this splendid area of country from ever being justly represented in the Senate of the United States as a State.

THE EQUILIBRIUM OF POWER IN THE SENATE.

The controversy as to the equilibrium, or balance of power, in the Senate began in the convention that ordained the Constitution. It was settled by giving equal suffrage to the States in the Senate and by prohibiting any amendment to that provision. Congress was given the power to admit new States without any requirement as to area or population.

When new States from the South applied for statehood New England began a determined opposition on the ground, chiefly, that three-fifths of the negro population were counted in the apportionment of representation in the House. Their full numbers including Indians, were counted, and they had no ground for complaint except that the negroes were slaves. This pressure was maintained with an aggressive force that caused some of the New England States to threaten to secede from the Union because of the admission of new States into the Union.

When the Louisiana purchase was made the opposition to the admission of States west of the Mississippi became furious in New England, and was kept up during a period reaching from the admission of Louisiana to that of Kansas and Nebraska. It was ostensibly based upon opposition to slavery, but its real basis was the alleged disturbance of the balance of power in the Senate that had given almost incalculable advantage to the New England States.

In 1811, in a speech on the erection of Louisiana into a State, Mr. Josiah Quincy laid down the New England policy that has never changed, and is now the force that sustains the unjust and destructive provisions of this measure. He said:

The policy of Jefferson was not, therefore, adopted from fear of a rejection of the proposition for the admission of Louisiana by the States, but he and the slave States foresaw that, by seizing the opportunity which they then had, and assuming at once that the Constitution gave Congress authority to multiply States in foreign territories, they would put an end forever to the necessity of applying to the States for such power in future. They foresaw that the Territories thus conjoined would open the opportunity and power of multiplying slave States, for which their climate was adapted, and thus effecting additional weight and ultimate predominancy to the slave power in the Union. To this end the assumption was made, and the subsequent history of the Union is but one tissue of evidence of its nature and consequences.

This New England policy is more authentically stated in a resolution of the Hartford Convention, on the 14th of January, 1814, as follows:

Second. No new State shall be admitted into the Union by Congress in virtue of the power granted by the Constitution without the concurrence of two-thirds of both Houses.

This was proposed as one of the amendments to the Constitution, that would make them content to remain in the Union.

The report of the committee on this topic is as follows:

The next amendment relates to the admission of new States into the Union.

This amendment is deemed to be highly important, and, in fact, indispensable. In proposing it it is not intended to recognize the right of Congress to admit new States without the original limits of the United States, nor is any idea entertained of disturbing the tranquility of any State already admitted into the Union. The object is merely to restrain the constitutional power of Congress in admitting new States. At the adoption of the Constitution a certain balance of power among the original parties was considered to exist, and there was at that time and yet is among those parties a strong affinity between their great and general interests. By the admission of these States that balance has been materially affected, and unless the practice be modified must ultimately be destroyed. The Southern States will first avail themselves of their new confederates to govern the East, and finally the Western States, multiplied in number and augmented in population, will control the interests of the whole. Thus for the sake of present power the Southern States will be common sufferers with the East in the loss of permanent advantages. None of the old States can find an interest in creating prematurely an overwhelming influence which may hereafter discern (as it has heretofore) benefits to be derived to them by wars and commercial restrictions.

It will be noted that slavery is not mentioned in this part of the report or in the resolution. The only subject discussed was a certain "balance of power among the original parties—the thirteen States." Slavery was never the real ground of the antagonism of New England to the South. The true reason is stated in the resolution of the Hartford convention I have just read. It was the apprehension that the uncontrollable flood of population rushing into the Territories of the South and West would bring new States into the Union to disturb the advantages in the Senate conceded to those States to induce them to come into the Union. It is not credible, nor is it believed, that a community of slave owners and slave traders, who had made great profit in the mercantile features of African and Indian slave trade, all of a sudden repented of their sins, and, in their new zeal for higher national morality, brought forth as fruits meet for repentance the obstructions and persecutions they have visited upon the South. Their old Adam of speculation in slavery did not die so sudden a death. He took to negro politics as a substitute for the money he had made out of negro merchandizing.

It will never be forgotten by Senators from the South, at least, that when the negroes were emancipated the New England States dropped their objections to counting three-fifths of the negro slaves in the basis of representation and voted for the fourteenth amendment, which requires the count of all the inhabitants of a State in the apportionment except Indians not taxed.

New England then became satisfied that she could vote the negroes in the choice of Senators by direct but irresistible methods, and she saw that what she might lose in the number of Senators was compensated by political control over the negro vote in the South, and she contentedly balanced her "equilibrium" account.

The Northwestern Territories marched into the Union—six of them—in less than nine months, with Dakota divided into two States, the South assisting in the grand procession. New England was ominously silent while the people were rejoicing.

This heavy disturbance of the balance of power was felt deeply by New England in the Senate and in the electoral college. The Northwest has often been recalcitrant, and New England has resolved that, to prevent any dangerous loss of power, if the Southwest should ever become likewise disobedient, her power in the Senate should be confined to four Senators, when she is entitled to eight. If the Southwest is weak in the Senate, or rebellious, these, against New England policy, could do little harm.

These historical statements of indisputable facts account for the ingeniously shapen provisions of this bill, which, like a skeleton key, are designed to unlock the barriers to the rape of this great area of splendid country west of the Mississippi.

The area included in the two proposed States is 306,395 square miles. One of these proposed States has an area of 236,395 square miles, composed of the Territories of Arizona and New Mexico. The other has an area of 70,000 square miles, composed of the areas of Oklahoma and the Indian Territory, the larger area being more than three times as great as that of the smaller one. Texas has an area of 274,356 square miles, but provision is made in her act of admission for the creation of five States within that area. Eight of the States of the Union have a smaller area than that of the Indian Territory.

The six New England States, with twelve Senators, are smaller in area than New Mexico or Arizona, and are smaller than fourteen other States that have two Senators each. This concentration of power in the Senate in so small an area is dangerous to the general welfare, although its people and its Senators may be at the maximum of intelligence and patriotism. Exclusive power is always dangerous to safe and good government.

The proportion of representation in the Senate and the consequent power, on the basis of area, is even greater than six to one in favor of each of the New England States as against each of these fourteen States. On the basis of population the advantage of the six New England States is not proportionately so great, but it is great enough to show that on either basis it is very unequal and unjust.

The nineteen States west of the Mississippi, each with an area larger than the six New England States, have resources of wealth that will at an early day give to them a population per square mile that will at least equal that of New England. Their great seaports and commercial marts, such as St. Paul, Seattle, San Francisco, Portland, San Diego, Galveston, St. Louis, and New Orleans, are already in possession of a commerce that is greater and far more important than that of any of the marts of trade in New England.

This disparity in representation in the Senate was, in the beginning, the result of a compromise and concession, without which the Union could not have been formed. Now that this reason does not exist, remedy for that unequal arrangement of representation is a question of self-defense and self-preservation on the part of the larger States in the Union and the States yet to be admitted.

There ought to be powerful reasons to justify such discrimination, but there are none in this period or in this case, except a purpose to deprive this immense and rich area of its rightful representation in the Senate, so as to add to the power of the smaller States east of the Mississippi.

THE TERRITORIES SHOULD HAVE PROTECTION INSTEAD OF DESTRUCTION AND NEEDLESS RECONSTRUCTION.

In opposition to this gerrymander of the Union every reason is arrayed that requires the observance of legislative and treaty pledges, legislative and judicial practices and precedent, and the faith of both the great political parties of the country.

Three of these Territories are fully equipped with civil governments. Two of them—Arizona and New Mexico—have been long established and conducted by the people under laws enacted by their legislatures and under the laws of the United States, and the fourth—the Indian Territory—has been exercising local self-government for fifty or sixty years on a broader and more liberal basis of independence than any Territorial government of the United States, in compliance with the express stipulations of treaties, several times repeated, and under acts of Congress that have specially confirmed and executed those stipulations; all of which this bill destroys. These organized Territories are entitled to their autonomy, so carefully provided by the laws of Congress and have been so long conducted on the highest plane of civil government and in the advance lines of progress without friction, delinquency, or complaint.

What reason can be stated for disturbing this arrangement, created by law and now carefully adjusted by the people during many years of toil and expense to their necessities and convenience, and for tearing these four prospective States from the foundations established for them by the Government on which their people were invited to build and become qualified for admission into the Union on an equal footing with the other States?

No fact or reason of public policy has been stated that in the least excuses or justifies a breach of public faith toward the States that assisted in the enactment of the laws that established these Territorial governments, as the basis of States to be admitted into the Union with the boundaries prescribed to them, and have voted taxes upon the people, in vast sums, to support these infant States, and have given immense grants of lands to their public institutions. These things were done by the Representatives of all the States in Congress, with the common and unquestioned understanding that these Territories were each entitled to statehood when the character and numbers of its population should justify admission into the Union.

The public faith, thus pledged, accepted, and acted upon by the people of all the States, can not be violated, arbitrarily, in the absence of reasons that are of overwhelming necessity, without disturbing the confidence of the people in the honor of the Government to a degree that is distressing and dangerous.

The work in which Congress is engaged, on this bill, is intended to complete the statehood of our continental posses-

sions, except Alaska. Whether it will ever extend to our insular possessions is unknown to living man. Alaska will be a State of the Union or it will go to the Dominion of Canada. Unlike the Philippines, it has not the requisites for supporting its independence.

In closing this work of a century and completing the grand assemblage of sovereign States in the American Union, our people would fondly welcome the spirit of justice and fair dealing with these Territories that would bring the happiness of perfect reconciliation between different sections of the Union. Instead of that blessing strife prevails, and denunciations of injustice, wrong, and breach of faith are loud and angry throughout that region, and dissatisfaction is intense in Congress, as the mutilated Territories are threatened to be deprived of their legal and rightful autonomy, and are being forced into the Union under conditions against which the majority of the inhabitants indignantly protest.

A DANGEROUS PRECEDENT.

We may in the future be compelled to consult the precedent we are establishing, and it is well that we should carefully consider our work.

Admitting, to its broadest extent, the legislative power of Congress over the disposal of the Territories and over their government by the direct action of Congress, or through subordinate territorial or military local governments, and the right of Congress to provide for their nurture into a fit condition for statehood by means of civil powers granted to the people there for such purposes, and admitting the power of Congress to provide, by legislation, the procedure that shall regulate the election of Delegates and the conduct of conventions in framing their constitutions, and admitting the right and power to make the observance of all such laws prerequisites to their admission to statehood, and also admitting the power of Congress to waive or dispense with any conditions precedent to their admission; admitting, in other words, the legislative power of Congress to provide all the machinery for this great and final act of conferring sovereign statehood upon the inhabitants of a Territory, still other things remain to be ascertained and other things are to be done to create a State that is in all respects upon an equal footing with the original States that ordained the Union and established the Republic.

To establish the equal footing of the proposed States with the original thirteen States the inhabitants of the Territory included in the limits which are to constitute the State must be "people of the United States" in the same sense as were the inhabitants of the States that ordained the Constitution, and not a heterogeneous mass of human beings of all races and nationalities and all conditions of intelligence who may be permitted to participate, as voters and the holders of office, in the ordination of a constitution for the new State and in such State after it is admitted into the Union.

If the Philippines, or Alaska, or Hawaii, or Porto Rico, should ever be admitted as States in the Union, we shall find cause to consider the high requirements of the equality of the States with great care and as a matter that is paramount to the lower question of universal suffrage.

THERE MUST BE UNCONSTRAINED LIBERTY OF ACTION IN ADOPTING A CONSTITUTION.

The convention, constituted and assembled to prepare a State for admission into the Union, must be free to adopt a constitution by the uncontrolled will of the majority of its delegates. Every such convention being a constituent body can only derive its just powers from the consent of the people represented, and must not be coerced by act of Congress to embody the will of other peoples, States, or constituencies in the constitution of the State, as is done in this bill.

The Constitution of the United States requires that all the States shall have governments that are republican in form, and they must be in harmony with its provisions; and Congress has no right to enact, as a condition precedent to its admission into the Union, that a State shall incorporate into its constitution certain provisions and principles that are not required by the Constitution of the United States, and that no other State in the Union has adopted, or can be compelled by act of Congress to adopt, as is required in this bill.

This is a most powerful and dangerous form of coercion, and it places these States under the absolute dominion of Congress after they are admitted into the Union. In support of this statement I will cite the language of section 21, subdivision 1, of this bill:

And said convention shall provide by ordinance irrevocable without the consent of the people of the United States and the people of the State: First, * * * the sale, barter, or giving of intoxicating liquors to Indians is forever prohibited."

Thus making a discrimination as to personal rights between Indians and white people, negroes, Mexicans, and all other people, all of whom as voters or delegates may equally participate in ordaining the State constitution, the amendment of which is prohibited in this respect without the consent of Congress.

If such a provision of organic law is forced upon the convention as an irrevocable ordinance, it should not discriminate against any class of people represented in the convention by their votes.

It may be sound public policy. If it is, it should be enforced against white men, negroes, and Mexicans and should be enforced in Arizona as well as in Oklahoma.

In the same section is this strange provision:

The Constitution shall be republican in form and make no distinction in civil or political rights on account of race or color except as to Indians not taxed.

Why they—Indians untaxed—should be discriminated against in this provision, and why protection should be given to Indians whom the State may choose to tax, and to negroes, Mexicans, Malays, Chinese, or Japanese is not easy to be understood. In the fifth subdivision of section 21 there is a mangling of the Fifteenth amendment of the Constitution in the case of office holders, as follows: The convention shall provide by ordinance—

That said State shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude, and that ability to read, write, and speak the English language sufficiently well to conduct the duties of the office without the aid of an interpreter shall be a necessary qualification for all State officers.

There are other provisions of this bill that illustrate this effort to induce Congress to shape the fundamental laws of these States in advance to suit its own will and to compel them to ordain changes, even in the language of the Constitution of the United States, to suit the purposes of Congress.

THE VOTING POWER.

There are three voting stages provided for in this bill, namely, the election of delegates to conventions to adopt constitutions, the ratifications of constitutions, and the voting for the offices which they establish; and the qualifications of voters differ, as between each of the proposed States, in the election of the delegates and in other elections. They differ as to the right to vote in those States when the voters come to ratify the constitution, and also when they elect State officers. Why these differences and discriminations should have been made in the bill is left to its authors to explain. It has a queer and unsatisfactory appearance. It looks like an effort to secure the consolidation of these great areas by varying the qualifications of voters in each of the four to suit local conditions favorable to success.

The right of suffrage for the choice of delegates is given by section 2 of the bill to "all male persons over the age of 21 years who are citizens of the United States or who are members of any tribe or nation." This applies to the Indian Territory and to Oklahoma. It does not include Indians, Mexicans, or negroes unless they have become citizens of the United States or are members of an Indian tribe.

In construing this puzzle the judges of election must have great perplexity in Oklahoma and the Indian Territory. This perplexity is greatly increased by the provisions of section 20 of the act with reference to the proposed State of Arizona, which provides that all qualified voters of Arizona and New Mexico are authorized to vote for and choose delegates to form a convention, and the election in those Territories shall be conducted as now provided by law in each of said Territories, respectively.

This is entirely different from the qualifications of voters and the method of conducting the election of delegates to a convention at Guthrie, Okla. The persons qualified to vote for delegates to the convention in Arizona under the laws, respectively, of Arizona and New Mexico, derive that right to vote from sources of authority that differ widely, so that a different voting constituency in each Territory is to choose delegates to make a constitution for one consolidated State; and in the constitution of that State Arizona is permitted by this act to exclude certain Indians from voting, under the provisions that the constitution shall be republican in form and make no distinction in civil or political rights on account of race or color, *except as to Indians not taxed*. There are Indians in Arizona, who are citizens by a fiction of allegiance to the United States, under the Dawes Act, who may not be taxed. If they were inhabitants of the Indian Territory they could vote as members of a tribe, although they have taken lands in severalty; but, being in Arizona or New Mexico, they can not vote because Arizona does not tax them.

These contradictory provisions as to the Indians, in different parts of this measure, bear painful testimony to the fact that this bill is a piece of political work adapted to securing votes for its ratification by appealing to the interests and prejudices of the influential Indians in the proposed State of Okla-

homa and the influential white men and Mexicans who are to be included in the State of Arizona.

THE DECLARATION OF INDEPENDENCE.

But there is another provision that is applied to both of these constitutions, which requires that they "shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence." This is the first effort to incorporate the Declaration of Independence as a part of the supreme law of the land by act of Congress. It is evidently intended to set up that great declaration as a rule by which the constitutions of the States admitted into the Union by this act and of the United States are to be construed. It is a bridge to enable those who are to execute the laws of those States to pass over any difficulties growing out of race questions in the country where Indians, Mexicans, negroes, white people, and people of other races compose the body politic and constitute the State.

The fourteenth amendment to the Constitution of the United States declares that "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State where they reside."

The Declaration of Independence declares that "all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." These principles are required to be violated in the constitution of Arizona by the exclusion of untaxed Indians from the right to demand the protection of their personal, civil, or political rights. The constitution of Arizona must expressly permit such violation as is provided in this bill. Here either the fourteenth and fifteenth amendments or the principles of the Declaration of Independence, or both, are set aside by this bill.

This is simply Congressional absolutism. It compels a State to adopt a constitution for which there is no warrant in the Constitution of the United States as a condition of its admission into the Union.

If all persons born in the territorial limits of the United States are citizens by birth, untaxed Indians are citizens. Or if, by a forced construction, the fourteenth and fifteenth amendments apply only to negroes, the principles of the Declaration of Independence, that include "all men," would give the protection of the Constitution of the United States to untaxed Indians in Arizona, who are denied all political recognition by the terms of the fourteenth amendment, and Arizona is expressly exempted from the duty of giving them protection by the provisions of this bill.

If the fourteenth and fifteenth amendments apply to male negroes only who are 21 years of age and were born in a State of the Union or were naturalized in such State, this forced adoption of the principles of the Declaration of Independence is a desperate effort to clothe Indians and negroes in the Territories with some fashion of citizenship for this special occasion, so that they could vote, as citizens of the United States, for delegates to constitutional conventions and for the constitutions they may adopt. What other use can be made of the Declaration of Independence as part of the constitutions of these proposed States is a puzzle that is difficult to understand. It is a confusion of the vital principles of constitutional government that would wreck the Constitution of the United States if they were injected into that great body of fundamental laws.

AN EXPEDIENT TO BRIDGE OVER DIFFICULTIES.

The framers of this bill evidently found negroes, Indians, Mexicans, and Chinese standing in the way of their effort to incorporate "all men" into the body politic—that is, to receive and rightfully exercise the sovereignty of the people of the States in virtue of this act; and they sought to remove the obstruction by engrafting into the constitution of the proposed States the principle that "all men are created equal," and that all men born in the Territories of the United States are citizens of the United States.

The fourteenth amendment fails to solve this problem, for it applies exclusively to persons who are born or are naturalized in a State of the Union, and not to such as are born in a Territory of the United States. All the penalties and prohibition in that amendment, if they are not abolished by the fifteenth amendment, apply exclusively to States and in favor of persons residing in States.

This is fully demonstrated by the provision of the fourteenth amendment, which imposes the penalty upon States, *that their representation in Congress may be reduced if they deny to male citizens of the State who are 21 years of age the right to vote*.

The Territories have no Representative in Congress; they are only Delegates, and the fourteenth amendment to the Constitution can not apply to them.

In that amendment, "Indians not taxed" are excluded from the numbers that entitle a State to representation in Congress.

In the Constitution prepared by this bill for the people of the new State of Arizona, Indians not taxed are denied the civil and political rights secured to other Indians in Oklahoma; which includes the right to vote. Indians belonging to a tribe are given the right to vote in Oklahoma without being taxed. In one State it is taxation, while in the other it is tribal relation that gives the right to vote.

In the endeavor to bring all these classes into such a citizenship of the United States as would constitute them the repositories of the sovereign power upon which statehood is founded, and upon which the sovereignty of the United States is based, the authors of this bill contrived the new expedient to which I have referred, of adopting the principles of the Declaration of Independence as a part of the constitution of Arizona and Oklahoma, thereby giving the rights and privileges, in all things pertaining to government, equally to "all men." In every aspect this is the most determined step in the exercise of absolute power that Congress has ever attempted. To accomplish a purpose of maintaining the supremacy in the Senate of the States east of the Mississippi River, it not only makes the constitution of Oklahoma and Arizona broader than those of all other States, and broader than that of the United States, but it confers citizenship of these two States upon "all men," under the academic statements of just theories of government, stated as principles in the Declaration of Independence, that were not adopted in the Constitution of the United States.

In a pretentious appeal to those principles as being the true expression of fraternity, equality, and liberty, they thrust aside and disregard the regulation, definition, and limitation of those principles, so carefully made in the Constitution of the United States, which discriminate between Indian tribes and negroes as inferior and subject people and distinguish them from the white men who, as sovereign people, created the Government of the United States, in providing for their personal and political status.

Taking this measure as a precedent, there is no class of human beings upon whom Congress can not confer the citizenship of the United States, or of the States, or that Congress can not declare fit to organize States and provide constitutions for their government; or that Congress can not empower to put into these constitutions any provision that is repugnant to the Constitution of the United States and at war with the Constitution of the United States.

The right of Congress to admit States into the Union is not an unlimited discretion. It is a power to be exercised so as to secure justice and promote the general welfare, not of "all men," but of "ourselves and our posterity."

The House of Representatives, in the bill sent to the Senate, did not even except from this grant of the principles of the Declaration of Independence to these new States, or as part of their State constitutions, the right to "establish government," and "the right of the people to alter or abolish it and to institute a new government."

These are leading principles of the Declaration of Independence and were adopted in the resolutions of the Hartford convention, and by some Southern States in their secession conventions.

There is no error so common or misleading as that of the supposed adoption of "the principles of the Declaration of Independence" in the Constitution of the United States as a part of the organic law. This bill forces these principles, en masse and without definition or restriction, into these new State constitutions for some inconceivable purpose; unless the purpose is, as I have stated it, to supply the want of application of the fourteenth and fifteenth amendments to negroes born in the Indian Territory who were never inhabitants of a State, or to arm an Indian proletariat with the power to vote to suit the convenience of the exploiters of this scheme of injustice. To do this, however, Congress would be forced to enlarge the letter and the purpose of those amendments. These amendments would not serve the purpose, and the Declaration of Independence was not resorted to in order to supply the deficiency.

The reconstruction plan of creating constitutions for States by act of Congress, which was done in the case of Alabama, after the people of that State had refused to ratify a constitution by a vote in the form required by the act of Congress, is again adopted in this bill. In this measure Congress prescribes the condition in advance, that the constitutions of these States, or irrevocable ordinances, shall contain the provision as to the Declaration of Independence, without which those States can not be admitted into the Union.

This mixed, variegated, and incongruous mass of people are empowered by Congress to vote on the constitution of two States, and the President is empowered to determine whether those instruments conform to the act and to the Constitution of the United States and, without taking the opinion of Con-

gress as to that vital matter, to admit those States into the Union by proclamation.

We are preparing to submit the creation of the constitutions of sovereign States to herds of people who can have no real conception of the work they are invited to aid Congress to perform, and whose only qualification for such work is the fact that Congress empowers them to vote.

VIOLATION OF ESTABLISHED PUBLIC POLICY.

Established public policy of the United States, carrying with it every honorable pledge that language and conduct could express, is openly violated by the provisions of this bill. The Indians in the Indian Territory are allowed to vote not directly on the question of consolidation with Oklahoma, but on questions of electing delegates to a convention to ratify a constitution for the State of Oklahoma, to be adopted by delegates to a convention to be held at Guthrie, Okla., in which Oklahoma is to have sixty delegates and the Indian Territory is to have fifty delegates, thus placing it in the power of Oklahoma to dictate the constitution to be voted upon and, having a larger voting population, to ratify it even against the solid vote of the people of the Indian Territory.

The consolidation is completed in the passage of this bill without reference to the will of the people or to their votes in any of these Territories and in disregard of our pledges and of the injury and injustice that must be done to many thousands of people.

If this bill is enacted as a law and its complete execution is prevented by any event, the consolidation of the several Territories remains, and their governments are thereby destroyed. If the President should refuse to issue his proclamation declaring that these States are admitted into the Union for any reason, such as frauds in the election, or if the election board should refuse to certify that elections had been held in either of the Territories in accordance with the act of Congress, the act would not be thereby repealed and would stand as to the consolidation.

The animus of the bill is that its enactment will compel the consolidation of these areas into two States without regard to existing laws and treaties and against the will of the people who are the rightful occupants of these Territories. The bill enacts this compulsion in direct antagonism to the will of those people, and this being a part of the plan for creating constitutions for two States out of four Territories the consolidation by act of Congress is coercion, by statute, in forming their constitutions.

Much has been said, through many years, to guard our people against the dangers of absolutism in Congress, and it becomes more and more apparent that enough can not be said to properly warn the people. Absolutism is the one enemy of the Republic that is unceasing in its efforts to destroy it, and, so far as I am concerned, I will not cease to resist its encroachments.

No human being who is an inhabitant of the United States or of the Territories belonging to them can be so poor or insignificant as to be deprived of his personal rights by the hand of absolute power or otherwise than by due course of law. If he is a citizen of the United States he has a pledge in the Constitution that restrains the powers of those who rule over him, or if he is not a citizen he has the sanction of their oaths that they will obey the Constitution and support it in his protection.

If Congress can enact laws that are unjust to bind people who have no representation, it is only the less excusable if such laws are enacted. I concede that Congress can enact such laws and, when they establish political conditions such as statehood, no lawful power exists to nullify them; but that fact only intensifies the appeal for forbearance toward people who have no representation in Congress.

VIOLATION OF COMPACTS.

In every admission of a State into the Union there are compacts between the Government of the United States and the people who constitute the State. In this bill there are several compacts of great importance expressly provided for. In our treaties with Mexico and France respecting these Territories agreements are made, in respect of statehood, in favor of the people. These can not be abandoned by us without a breach of faith. In the measures we have enacted in pursuance of these pledges the people acquire rights that we are bound to respect. If there is no power to enforce them, the moral obligation is only the stronger.

The Senator from California [Mr. BARD] is strictly correct in urging that the pledge of separate statehood given to Arizona in the law giving her a Territorial government is a compact with those people. It was made in pursuance of our treaties with Mexico, as a step in their execution. But, in any case where such a grant of civil autonomy is made to any of our people, and they have accepted and acted upon it, and refuse to consent to its abrogation, it is a compact that they

have the right to claim. It lacks no element of a compact between States, except that one of the parties to the agreement is not a State in the Union. If it is a Territory, Congress can not set up its incapacity to enter into such a compact for the benefit of its people, because it has created that capacity by its own act.

THE POWER TO ADMIT STATES IS NOT LEGISLATIVE POWER.

Whatever absolute power Congress may have to admit a State into the Union, or to reject it, that power is not, in any sense, the legislative power conferred upon Congress by the Constitution. The language of this special grant of power is, "New States may be admitted by the Congress into the Union." (Art. IV, sec. 3.)

Whatever provision Congress, as a Legislature, may have the right to make in the preparation of a people for statehood, that is not the power by or under which the State is admitted into the Union. The final act, decision, judgment, decree, or pronouncement that is requisite for the admission of a State into the Union is the exclusive act of the two Houses of Congress, in which the President has no constitutional right to participate.

If this act admits these States into the Union now or in the future without any further action of Congress, it would not be affected by the President's veto or by his approval. If he should disapprove the bill because he objects to the provisions made for carrying it into execution, they would still stand as regulations made by Congress; and if Congress should admit the States notwithstanding his objections, neither the President nor the Supreme Court could prevent either House of Congress from admitting its representatives to seats in their respective Chambers. He has no power to disapprove this act or any legislative provision it contains, if the effect of the act is to admit these States into the Union without any further action of the two Houses of Congress.

A final judge, in the person of the President, is provided for in this act to determine whether a State or two States have complied with its provisions and are entitled to admission into the Union, and that they, or one of them, are actually admitted, when the Constitution provides that Congress alone can admit a State. This is a power of judgment and determination to give final and conclusive effect to the most important fact that concerns the union of the States, and it can not be delegated.

It is, in fact, equivalent to an expansion of the Constitution by enlarging the area of the Union, which necessarily depends upon a compact that must be based upon invitation of Congress to the people or upon the request made to Congress by the people of the proposed States. It must be an act of admission by mutual agreement, and not a compulsory act that forces the people into the Union without their consent. It is a compact that can only be made between Congress and the people of the proposed States.

In the exercise of this great and delicate power the judicial, executive, and legislative functions of the Government and all its political powers are exerted by the two Houses of Congress in the final act of admitting a State into the Union. There may be necessary preliminary preparation for the final decision by act of Congress as a legislative body.

The judicial and executive departments may have duties to perform in furtherance of the great final purpose of the act, but neither of these departments can make or prevent or control the final and conclusive action of Congress in admitting a State into the Union. The act of admission must be final when Congress has made it, leaving no contingency to be passed upon and decided by any other department of the Government, and leaving nothing to be done after the declaration that the State is admitted to make the admittance final and conclusive. A Territory can not be admitted as a State entitled to admission into the Union and be still held in abeyance in any of its powers, as is provided in this bill, until the President has examined and approved its right. If it is an act of legislation simply, it can be repealed while it is in abeyance. If it is an act that creates a State into the Union, it can not be repealed, nor can the President veto it.

Congress, as a legislative body, is now engaged in preparatory work, qualifying those areas for admission as States, and can not now make any enactment of law that will be conclusive to bind this or a future Congress as the final judge of the fact of the admission of either of these States into the Union by relegating the decision of the fact of admission to the President. A final act of admission can not be repealed by this or any subsequent Congress.

Congress can not bind the President to issue his proclamation, after a future date, declaring these States admitted into the Union as the result of his judgment upon the facts; and he has no constitutional power to issue a proclamation, the effect of which is to admit a State into the Union. Congress must judge as to the preparation and qualifications of a Terri-

tory for statehood, and its fitness is an open question, to the last moment, until Congress has closed it by a final act of admission. The President is not mentioned in the Constitution as having any right to participate in the act of admitting a State into the Union, or in a declaration of war, or in submitting amendments to the Constitution to the votes of the States, or in calling a convention on the application of the legislatures for two-thirds of the States, for proposing amendments. In the separate exercise of these powers the Houses of Congress are the exclusive representatives of the sovereignty of the people and of the States. These powers stand apart from the power to enact laws, and are as clearly and as widely distinguished from them, as is the power to originate and determine upon the impeachment of officers of the United States. They stand apart from and are as independent of any interference from the President as is a judgment of acquittal, or conviction, of an officer who is impeached by order of the House of Representatives.

This bill ignores these great provisions of the Constitution and tramples them under foot.

The Supreme Court has no jurisdiction to pass upon the validity of such acts, because they are political and can not involve suits, cases, or controversies between parties litigant, nor can it control or supervise the action of Congress or its officers by mandamus, injunction, prohibition, or any form of judicial writ in the performance of such acts.

Placed in this attitude of supreme sovereignty, as to the admission of States into the Union, the States and the people and the Government of the United States have but one positive restraint or check upon this power of Congress, which is that Senators and Representatives are bound by oath to support the Constitution of the United States.

When the Constitution intrusts such broad and final discretion to Congress, in a matter so vital to the people, in their sacred personal rights and the rights of their respective States, all the limitations upon the power of Congress, whether expressed or implied, should be given recognition by the Houses of Congress, and applied with full force and vigor; otherwise, the power to admit States into the Union would be absolute, and absolutism is abhorrent to the Constitution and to every just conception of our liberties.

No one has the right or power to participate in the act of admission of States into the Union except the immediate representatives, in Congress, of the States and the people, and they are restrained only by their oaths of office.

ALL THE PEOPLE OF THE STATES ARE CONCERNED DIRECTLY IN THE CREATION OF A NEW STATE.

No representative of a Territory or district can participate in the great creative act of the admission of a State, nor can the legislative, or executive, or judicial departments of the Government take part in it. The President can not veto the act of admission of a State into the Union, nor is his consent necessary to its final and complete effect.

The reason for committing this function exclusively to Congress is that it is the only direct representative of the States and of the people and the protector of their rights, which, not being enumerated in the Constitution, are confided to their natural protectors, who have and will exercise a broad discretion in defining them. They include all the rights of government that are not delegated to the Government of the United States or to a department thereof. It is on this basis that the strict construction of laws and constitutional amendments that narrow the reserved rights of the people is rested, and it is for this reason that the power of admitting new States into the Union is confided to the discretion and to the exclusive action of the direct representatives of the people and of the States.

The admission of a State into the Union is intended for the benefit of all of the people of the United States, rather than for the benefit of the inhabitants of an area or territory that is included in the limits of such a State. It is the upbuilding and completion of the great American family of States and demands the most careful scrutiny of the people who are to constitute the new State and of every condition that affects the State already admitted.

The white people of the far distant States, as well as those near by the area that is proposed to be admitted, have the right to object to the admission of a State into the Union whose inhabitants, or a controlling part of them, converted into citizens by a law of Congress, are Chinese, Japanese, Mexicans, Indians, or negroes, and are given large powers to control the State and to send their representatives into the House of Representatives and the Senate. Whether the objection is racial, or moral, or political, or constitutional, Congress, if it has the power to overrule them, should never exercise it arbitrarily, and should never, for any cause, fail or refuse to give it careful and unbiased consideration.

I respectfully and most earnestly insist that the Senate, disregarding precedent, if there is any settled precedent to the contrary, should not take its final action admitting Oklahoma or Arizona as a State, until every preliminary fact that is requisite to statehood has been established and made of record by their conventions; so that our action will be justified by the record, and so that the Senate and House of Representatives, voting on the facts so established, shall admit or refuse to admit Oklahoma or Arizona into the Union without leaving any part of these grave constitutional questions to be settled by the President. If we are in haste with this serious work, so that we must find some one to whom we must delegate the power to pass the final decree that will admit Oklahoma and Arizona into the Union, or refuse to admit them, it would be better to delegate to the Chief Justice or a judge of the Supreme Court the power to make such decree. They have no less constitutional connection with the exercise of this power than the President possesses, and they have far less temptation than he has for making a decision to meet political exigencies.

THE RIGHTS RESERVED TO THE PEOPLE REQUIRE PROTECTION.

I insist that Congress, in deciding upon the admission of these proposed States, will observe and protect the States and the people of the United States in their rights reserved in the preamble of the Constitution, and those also that are not therein expressly declared or defined, but are stored away in the hearts of the people, as the true legatees of the great liberties won by their progenitors in the struggle for independence. These rights descend upon succeeding generations, for the nurture of these liberties, as silently and as certainly as the milk that nourishes their children is provided, in purity and in unfailing supply, from the breasts of their mothers.

The people of the United States do not forget these reserved rights that are peculiar to them and were never guaranteed to any other people before they ordained the Constitution of the United States; they do not undervalue them, nor do they unduly magnify their importance. Indeed, they could not, for they are the rights of people who are sovereign, which are reserved to support, sustain, and protect that sovereignty. They are rights that can not be assailed without injustice and offense to the sovereignty of the United States. It is safer for the Government to openly assail or abuse the rights of the people, expressed in the Constitution, than it is to neglect or refuse to protect those personal and individual and social and family rights that belong to those upon whom the sovereignty of the United States is conferred and are reserved to them in the Constitution.

I will now state the relative proportion of area, population, and representation in the Senate of the States, as they are set forth in the Census reports of 1900. They are as follows:

First class (less than 10,000 square miles).

State.	Population.	Area.
		<i>Sq. miles.</i>
Delaware.....	184,375	2,050
Connecticut.....	908,420	4,900
Massachusetts.....	2,835,346	8,315
New Hampshire.....	411,588	9,305
New Jersey.....	1,883,669	7,815
Rhode Island.....	438,556	1,250
Vermont.....	343,641	9,565
Total.....	6,965,955	43,290

Seven States, with fourteen Senators.

Second class (over 10,000 and under 25,000 square miles).

West Virginia.....	958,800	24,780
Maryland.....	1,188,044	12,210
Total.....	2,146,844	36,990

Two States, with four Senators.

Third class (over 25,000 and under 50,000 square miles).

Indiana.....	2,516,462	36,350
Kentucky.....	2,147,174	40,400
Louisiana.....	1,445,382	48,720
Maine.....	684,466	33,040
Mississippi.....	1,551,270	46,810
New York.....	7,268,894	49,170
Ohio.....	4,157,545	41,060
South Carolina.....	1,340,316	30,570
Pennsylvania.....	6,302,115	45,215
Tennessee.....	2,020,616	42,050
Virginia.....	1,854,184	42,450
Total.....	30,208,424	455,835

Eleven States, with twenty-two Senators.

Fourth class (over 50,000 and under 100,000 square miles).

State.	Population.	Area.
Missouri.....	3,106,665	69,415
Alabama.....	1,828,697	52,250
Arkansas.....	1,311,564	53,850
Florida.....	528,542	58,680
Georgia.....	2,216,331	58,980
Illinois.....	4,821,550	56,650
Michigan.....	2,420,982	58,915
Minnesota.....	427,338	83,356
North Carolina.....	1,893,810	52,250
Wisconsin.....	2,069,042	56,040
North Dakota.....	319,146	70,795
South Dakota.....	401,570	77,650
Washington.....	518,103	69,180
Wyoming.....	92,531	97,890
Idaho.....	161,772	84,800
Oregon.....	413,336	96,030
Utah.....	276,749	84,970
Iowa.....	2,231,853	56,025
Kansas.....	1,470,495	82,080
Nebraska.....	1,066,300	77,510
Total.....	27,586,376	1,397,316

Twenty States, with forty Senators.

Fifth class (over 100,000 square miles).

California.....	1,485,053	158,380
Colorado.....	539,700	103,925
Nevada.....	42,335	100,700
Texas.....	3,048,710	265,780
Montana.....	243,329	146,080
Total.....	5,359,127	774,845

Five States, with ten Senators.

I will also insert in my remarks, without reading it, a table taken from the census of 1900, showing the areas and population of all the States and Territories, except Alaska and the insular possessions:

United States.	East of Mississippi River.			West of Mississippi River.		
	Total population.	Indians.	Area.	Total population.	Indians.	Area.
Alabama.....	1,828,697	177	52,250	122,931	26,480	113,020
Arizona.....				1,311,564	66	53,850
Arkansas.....				1,485,053	15,377	158,380
California.....				539,700	1,437	103,925
Connecticut.....	908,420	153	4,900			
Delaware.....	184,375	9	2,050			
District of Columbia.....	278,718	22	70			
Florida.....	528,542	358	58,680			
Georgia.....	2,216,331	19	58,980			
Idaho.....				161,772	4,226	84,800
Illinois.....	4,821,550	16	56,650			
Indiana.....	2,516,462	243	36,350			
Indian Territory.....				392,060	52,500	31,400
Iowa.....				2,231,853	882	56,025
Kansas.....				1,470,495	2,130	82,080
Kentucky.....	2,147,174	102	40,400			
Louisiana.....	445,382	40	48,720			
Maine.....	684,466	798	33,040	939,243	553	
Maryland.....	1,188,044	3	12,210			
Massachusetts.....	2,805,346	587	8,315			
Michigan.....	2,420,982	6,354	58,915			
Minnesota.....	437,338	3,339	83,356	1,314,056	5,843	
Mississippi.....	1,551,270	2,203	46,810			
Missouri.....				3,106,665	130	69,415
Montana.....				243,329	11,343	146,080
Nebraska.....				1,066,300	3,322	77,510
Nevada.....				42,335	5,216	100,700
New Hampshire.....	411,588	22	9,305			
New Jersey.....	1,883,669	63	7,815			
New Mexico.....				195,810	13,144	122,580
New York.....	7,268,894	5,257	49,170			
North Carolina.....	1,893,810	5,687	52,250			
North Dakota.....				319,146	6,968	70,795
Ohio.....	4,157,545	42	41,060			
Oklahoma.....				398,331	11,945	39,030
Oregon.....				413,336	4,951	96,030
Pennsylvania.....	6,302,115	1,639	45,215			
Rhode Island.....	428,556	35	1,250			
South Carolina.....	1,340,316	121	30,570			
South Dakota.....				401,570	20,225	77,650
Tennessee.....	2,020,616	108	42,050			
Texas.....				3,048,710	470	265,780
Utah.....				276,749	2,623	84,970
Vermont.....	343,641	5	9,565			
Virginia.....	1,854,184	354	42,450			
Washington.....				518,103	10,039	69,180
West Virginia.....	958,800	12	24,780			
Wisconsin.....	2,069,042	8,372	56,040			
Wyoming.....				92,531	1,686	97,890
Total.....	55,906,233	39,140	1,013,315	20,088,342	201,056	2,011,070

No thoughtful man can reflect on the injustice that has been done to the country west of the Mississippi in the apportionment of representation in the Senate by giving enormous areas to the

States in that part of the Union, without understanding that at some time it will be corrected, even at the expense of serious civil commotion.

This Government is too great and its principles are too nicely adjusted to the promotion of the general welfare to admit injustice and wrong toward any of the States as a settled policy to disturb its tranquillity.

There is no apportionment of representation in the Senate except by the areas included in the State limits, and it is in this arrangement that injustice has been done to that part of the Union west of the Mississippi. The bill before the Senate proposes to aggravate this unjust discrimination to a degree that excites the angry and determined resentment of the people immediately concerned in opposing it, and is manifestly unjust.

Many of the strongest and best men among them already look to future events, such as a general convention to revise the Constitution of the United States to have a readjustment of the representation in the Senate, while others are looking to coercive measures.

All these expectations are vain; as the tree has fallen, so will it lie.

Yet the futility of such hopes is not now realized by all of them, and some take the chances as to the future in order to have peace. Some of them disregard everything except to follow their leaders and support them in the massacre of their rightful statehood as separate States by a consolidation that is fatal to their rightful representation in the Senate.

The question is, Will Congress continue this injustice by yielding to the demand of party politics, or will we refuse to do this additional injustice to the West and adhere to the wise and just arrangement that was intended to be permanent in assigning limits and boundaries in acts of Congress to these embryonic States? No matter how we may perform this high duty, history will record that none was ever greater in its demands upon the wisdom, impartiality, and moral courage of Congress.

Mr. President, I thank you and the Senate for hearing me so patiently, when I have been scarcely able to go through with this discussion.

Mr. BEVERIDGE. If no other Senator desires to speak on the pending bill at this particular moment, I call the attention of the junior Senator from Alabama [Mr. PETTUS] to the fact that his colleague has concluded.

Mr. PETTUS. Mr. President, I have a statement to make to the Senate, but after a conference with the chairman of the Committee on Claims in reference to the matter I will postpone the statement.

Mr. BEVERIDGE. Very good.

Mr. STEWART. I present an amendment which I give notice I will offer at the proper time, and I ask to have it printed. I will defer my remarks until the bill is called up tomorrow, as there would not be time to conclude this evening.

The PRESIDING OFFICER (Mr. NELSON in the chair). The amendment will be received and printed.

Mr. PLATT of Connecticut. Mr. President, if it be agreeable to the Senator from Indiana [Mr. BEVERIDGE], I should like to move an executive session at this time.

Mr. BEVERIDGE. Mr. President, it is so agreeable that I was about to suggest the very same thing myself.

EXECUTIVE SESSION.

Mr. PLATT of Connecticut. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until Tuesday, January 10, 1905, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 9, 1905.

CONSUL.

Howard D. Van Sant, of New Jersey, to be consul of the United States at Guelph, Ontario, Canada, vice Charles N. Daly, resigned.

COLLECTOR OF CUSTOMS.

Frederick S. Stratton, of California, to be collector of customs for the district of San Francisco, in the State of California. (Reappointment.)

DISTRICT JUDGE.

John E. McCall, of Tennessee, to be United States district judge for the western district of Tennessee, vice Eli S. Hammond, deceased.

COINER.

Harry Tarbell, of Colorado, to be coiner of the mint of the United States at Denver, Colo. Office created by act of Congress approved March 18, 1904.

MELTER AND REFINER.

Hubert D. Coleman, jr., of Louisiana, to be melter and refiner of the mint of the United States at New Orleans, La., to succeed H. Dudley Coleman, removed.

DEPUTY AUDITOR FOR POST-OFFICE DEPARTMENT.

William J. Anderson, of North Dakota, to be deputy auditor for the Post-Office Department, in place of Harrison Allen, deceased.

REGISTER OF LAND OFFICE.

Frederick C. Perkins, of Colorado, to be register of the land office at Durango, Colo., his term having expired February 15, 1903. (Reappointment.)

RECEIVER OF PUBLIC MONEY.

Daniel L. Sheets, of Colorado, to be receiver of public moneys at Durango, Colo., his term having expired February 8, 1902. (Reappointment.)

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Edward C. Kalbfus to be a lieutenant in the Navy from the 18th day of December, 1904, vice Lieut. Charles M. McCormick, promoted.

Lieut. Philip Andrews to be a lieutenant-commander in the Navy from the 1st day of January, 1905, to fill a vacancy created in that grade by the act of Congress approved March 3, 1903.

Naval Constructor William J. Baxter to be a naval constructor in the Navy with the rank of captain from the 21st day of May, 1904, vice Naval Constructor John F. Hanscom, retired.

Naval Constructor Elliot Snow to be a naval constructor in the Navy with the rank of commander from the 21st day of May, 1904, vice Naval Constructor William J. Baxter, promoted.

Asst. Paymaster William C. Fite to be a passed assistant paymaster in the Navy, from the 16th day of August, 1904, vice Paymaster Thomas DeF. Harris, promoted.

Passed assistant paymasters to be passed assistant paymasters in the Navy with the rank of lieutenant from the 24th day of August, 1904.

John F. Hatch.

Frederick G. Pyne.

Frederick B. Colby.

Edward E. Goodhue.

William R. Bowne.

Rishworth Nicholson.

Howard H. Alkire, a citizen of Ohio, to be an assistant paymaster in the Navy, from the 30th day of November, 1904, to fill a vacancy existing in that grade on that date.

John N. Jordan, a citizen of the State of Maine, to be an assistant paymaster in the Navy, from the 6th day of January, 1905, to fill a vacancy existing in that grade on that date.

TO BE PLACED ON RETIRED LIST.

Col. William L. Alexander, assistant commissary-general, to be placed on the retired list of the Army with the rank of brigadier-general from the date upon which he shall be retired from active service.

With the rank of brigadier-general from April 23, 1904.

Col. Charles S. Stewart, retired, died July 22, 1904.

Col. Charles M. Terrell, retired, died November 22, 1904.

With rank of lieutenant-colonel from April 23, 1904.

Maj. William Austine, retired, died September 4, 1904.

With the rank of lieutenant-colonel from April 23, 1904.

Capt. Leonard Hay, retired, died November 12, 1904.

Capt. Thomas E. Merritt, retired, died August 26, 1904.

With the rank of captain from April 23, 1904.

First Lieut. Henry R. Williams, retired, died October 16, 1904.

POSTMASTERS.

ARIZONA.

L. D. Redfield to be postmaster at Benson, in the county of Cochise and Territory of Arizona. Office became Presidential January 1, 1905.

CALIFORNIA.

William Collins to be postmaster at Mojave, in the county of Kern and State of California. Office became Presidential January 1, 1905.

COLORADO.

Nimrod S. Walpole to be postmaster at Pueblo, in the county of Pueblo and State of Colorado, in place of John H. Mitchell. Incumbent's commission expired May 28, 1904.

FLORIDA.

Peter P. Cobb to be postmaster at Fort Pierce, in the county of Brevard and State of Florida. Office became Presidential January 1, 1905.

Charles C. Peck to be postmaster at Brooksville, in the county of Hernando and State of Florida. Office became Presidential January 1, 1905.

William C. Cole to be postmaster at Lawrenceville, in the county of Gwinnett and State of Georgia. Office became Presidential January 1, 1905.

Mary L. Darden to be postmaster at Hogansville, in the county of Troup and State of Georgia. Office became Presidential January 1, 1905.

Mary P. Dixon to be postmaster at Westpoint, in the county of Troup and State of Georgia, in place of Mary P. Dixon. Incumbent's commission expires January 21, 1905.

Andrew D. McComb to be postmaster at Buena Vista, in the county of Marion and State of Georgia. Office became Presidential January 1, 1905.

David B. Rigdon to be postmaster at Statesboro, in the county of Bulloch and State of Georgia, in place of David B. Rigdon. Incumbent's commission expires January 11, 1905.

Clarence W. Withoft to be postmaster at Fort Valley, in the county of Houston and State of Georgia, in place of Wallace Peddicord. Incumbent's commission expired April 12, 1904.

ILLINOIS.

Eva J. Harrison to be postmaster at Johnston City, in the county of Williamson and State of Illinois. Office became Presidential January 1, 1905.

Holly C. Marchildson to be postmaster at Thebes, in the county of Alexander and State of Illinois. Office became Presidential January 1, 1905.

George M. Thompson to be postmaster at Bement, in the county of Piatt and State of Illinois, in place of Horace Haldeman. Incumbent's commission expired December 20, 1904.

INDIANA.

John M. Atkins to be postmaster at Jasonville, in the county of Greene and State of Indiana. Office became Presidential January 1, 1905.

INDIAN TERRITORY.

John P. Bradbury to be postmaster at Wetumka, in District 13, Ind. T. Office became Presidential January 1, 1905.

William T. Brooks to be postmaster at Broken Arrow, in District 7, Ind. T. Office became Presidential January 1, 1905.

IOWA.

Albert R. Kullmer to be postmaster at Dysart, in the county of Tama and State of Iowa, in place of Albert R. Kullmer. Incumbent's commission expires January 16, 1905.

MISSISSIPPI.

Henry L. Rhodes to be postmaster at Ackerman, in the county of Choctaw and State of Mississippi. Office became Presidential January 1, 1905.

NEVADA.

Herbert Badt to be postmaster at Wells, in the county of Elko and State of Nevada. Office became Presidential July 1, 1904.

NEW JERSEY.

Joshua L. Allen to be postmaster at Pennington, in the county of Mercer and State of New Jersey. Office became Presidential January 1, 1905.

Farley F. Holcombe to be postmaster at Hopewell, in the county of Mercer and State of New Jersey. Office became Presidential October 1, 1904.

Shepherd S. Hudson to be postmaster at Mays Landing, in the county of Atlantic and State of New Jersey, in place of Lewis E. Jeffries. Incumbent's commission expired December 19, 1903.

NEW YORK.

George Bouse to be postmaster at Bay Side, in the county of Queens and State of New York. Office became Presidential October 1, 1904.

Frederic J. Merriman to be postmaster at Madrid, in the county of St. Lawrence and State of New York. Office became Presidential January 1, 1905.

NORTH DAKOTA.

Peter C. Burfening to be postmaster at Kulm, in the county of Lamoure and State of North Dakota. Office became Presidential January 1, 1905.

OHIO.

Louis G. Bidwell to be postmaster at Kinsman, in the county of Trumbull and State of Ohio. Office became Presidential January 1, 1905.

William Cline to be postmaster at Arcanum, in the county of Darke and State of Ohio, in place of Clinton F. Parks, deceased.

Ford H. Laning to be postmaster at Norwalk, in the county of Huron and State of Ohio, in place of Ford Lanning, to correct name.

Charles D. Wightman to be postmaster at Medina, in the county of Medina and State of Ohio, in place of Albert Munson. Incumbent's commission expired January 28, 1903.

PENNSYLVANIA.

William N. Boyles to be postmaster at Juniata, in the county of Blair and State of Pennsylvania. Office became Presidential January 1, 1905.

Sallie P. Gillingham to be postmaster at Langhorne, in the county of Bucks and State of Pennsylvania. Office became Presidential July 1, 1904.

Sarah M. Lowell to be postmaster at Tioga, in the county of Tioga and State of Pennsylvania. Office became Presidential January 1, 1905.

Thomas Pickrell to be postmaster at Oldforge, in the county of Lackawanna and State of Pennsylvania. Office became Presidential January 1, 1905.

Leanus Schreiner to be postmaster at Tower City, in the county of Schuylkill and State of Pennsylvania. Office became Presidential January 1, 1905.

Fred M. Williams to be postmaster at Nicholson, in the county of Wyoming and State of Pennsylvania. Office became Presidential January 1, 1905.

SOUTH CAROLINA.

John E. McLure to be postmaster at Bishopville, in the county of Lee and State of South Carolina, in place of J. R. McClue, to correct name.

UTAH.

Clifford I. Goff to be postmaster at West Jordan, in the county of Salt Lake and State of Utah. Office became Presidential January 1, 1905.

Charles A. Guiwits to be postmaster at Price, in the county of Carbon and State of Utah. Office became Presidential July 1, 1904.

WISCONSIN.

Frank J. Salter to be postmaster at Prentice, in the county of Price and State of Wisconsin. Office became Presidential January 1, 1905.

WYOMING.

Newton H. Brown to be postmaster at Lander, in the county of Fremont and State of Wyoming, in place of Frank S. Smith, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 9, 1905.

GOVERNOR OF ALASKA.

John G. Brady, of Alaska, to be governor of Alaska.

CONSULS.

Samuel S. Knabenshue, of Ohio, to be consul of the United States at Belfast, Ireland.

George Horton, of Illinois, to be consul of the United States at Athens, Greece.

COMMISSIONER OF THE INTERIOR OF PORTO RICO.

John Stuart Elliot, of Porto Rico, to be commissioner of the interior of Porto Rico.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

Rafael Del Valle, of Porto Rico, to be a member of the executive council of Porto Rico for a term of four years.

Luis Sanchez Morales, of Porto Rico, to be a member of the executive council of Porto Rico for a term of four years.

APPOINTMENTS IN PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Eugene H. Mullan, of Maryland, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Wade Hampton Frost, of Virginia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

UNITED STATES ATTORNEY.

Melvin O. Adams, of Massachusetts, to be United States attorney for the district of Massachusetts.

MARSHAL.

J. E. B. Stuart, of Virginia, to be United States marshal for the eastern district of Virginia.

DISTRICT JUDGE.

Arthur L. Sanborn, of Wisconsin, to be United States district judge for the western district of Wisconsin.

APPOINTMENT IN THE NAVY.

Judson L. Taylor, a citizen of Texas, to be an assistant surgeon in the Navy, from the 17th day of December, 1904.

PROMOTIONS IN THE NAVY.

Rear-Admiral George A. Converse, United States Navy, to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear-admiral, for a term of four years.

Capt. Newton E. Mason, United States Navy, to be Chief of the Bureau of Ordnance in the Department of the Navy, with the rank of rear-admiral, for a term of four years.

Commander Samuel W. B. Diehl, United States Navy, to be Judge-Advocate-General of the Navy, with the rank of captain in the Navy, for a term of four years.

Lieut. (Junior Grade) David C. Hanrahan to be a lieutenant in the Navy, from the 1st day of July, 1904.

Lieut. Commander Theodore F. Burgdorff to be a commander in the Navy, from the 30th day of September, 1904.

Lieut. George W. Kline to be a lieutenant-commander in the Navy, from the 13th day of September, 1904.

Lieut. Commander Templin M. Potts to be a commander in the Navy, from the 8th day of November, 1904.

Lieut. Charles M. McCormick to be a lieutenant-commander in the Navy, from the 18th day of December, 1904.

Capt. Joseph E. Craig to be a rear-admiral in the Navy, from the 28th day of December, 1904.

Lieuts. William W. Gilmer, Robert E. Coontz, William H. G. Bullard, and Harold K. Hines to be lieutenant-commanders in the Navy, from the 1st day of January, 1905, to fill vacancies created in that grade by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) William S. Miller to be a lieutenant in the Navy, from the 1st day of January, 1905.

Lieut. (Junior Grade) Cyrus W. Cole to be a lieutenant in the Navy from the 1st day of January, 1905.

Lieut. (Junior Grade) Lloyd S. Shapley to be a lieutenant in the Navy from the 1st day of January, 1905.

Lieut. (Junior Grade) William R. Sayles, jr., to be a lieutenant in the Navy from the 1st day of January, 1905.

Lieut. (Junior Grade) John W. Greenslade to be a lieutenant in the Navy from the 1st day of January, 1905.

Lieuts. (Junior Grade) Charles E. Courtney and James H. Tomb to be lieutenants in the Navy from the 1st day of January, 1905, to fill vacancies created in that grade by the act of Congress approved March 3, 1903.

To be ensigns in the Navy from the 2d day of May, 1904, to fill vacancies existing in that grade on that date.

Henry G. S. Wallace.
Horace S. Klyce.
Frank W. Sterling.
Emory S. Land.
Franklin W. Osburn, jr.
Gilford Darst.
Roe R. Adams.
Semmes Read.
Edwin G. Kintner.
Harry A. Baldrige.
William L. Pryor.
James Reed, jr.
George J. Meyers.
James P. Murdock.
Edward J. Marquart.
Andrew A. Peterson.
Leroy Brooks, jr.
Donald C. Bingham.
Robert Wallace, jr.
Ralph M. Griswold.
William W. Smith.
Francis S. Whitten.
Thomas L. Ozburn.
Lewis B. Porterfield.
Walter G. Diman.
Frank C. Martin.
Ralph P. Craft.
Adolphus Staton.
David A. Weaver.
Neil E. Nichols.
James A. Campbell, jr.
Otto C. Dowling.
Julius C. Townsend.
Wilson Brown, jr.

Robert Henderson.
William T. Conn, jr.
John H. Blackburn.
Frank B. Freyer.
Roscoe C. Davis.
Earl P. Finney.
William D. Puleston.
Charles S. Kerrick.
George P. Brown.
James O. Richardson.
Harold D. Childs.
Gilbert J. Rowcliff.
James P. Lannon.
Richard Wainwright, jr.
Charles W. Early.
Edward C. S. Parker.
Joseph O. Fisher.
Carlos Bean.
Oscar F. Cooper.
Kirby B. Crittenden.
Merritt S. Corning.
William J. Moses.

PROFESSOR OF MATHEMATICS IN THE NAVY.

Lieut. Commander Harry McL. P. Huse to be a professor of mathematics in the Navy, with the rank of commander, to rank next after Professor of Mathematics Aaron N. Skinner, and to be an extra number in the corps of professor of mathematics in accordance with the provisions of an act of Congress approved April 27, 1904.

PROMOTIONS IN THE MARINE CORPS.

Lieut. Col. Charles H. Lauchheimer, assistant adjutant and inspector of the Marine Corps, to be adjutant and inspector of the Marine Corps, with the rank of colonel, from the 15th day of December, 1904.

Capt. Albert S. McLemore, United States Marine Corps, to be assistant adjutant and inspector in the Marine Corps, with the rank of major, from the 15th day of December, 1904.

POSTMASTERS.

CALIFORNIA.

Horace E. Allatt to be postmaster at Imperial, in the county of San Diego and State of California.
William Bradford to be postmaster at Hemet, in the county of Riverside and State of California.
Edmund L. Brown to be postmaster at Fernando, in the county of Los Angeles and State of California.
William S. Collins to be postmaster at Loyaltown, in the county of Sierra and State of California.
Samuel G. Watts to be postmaster at East Auburn, in the county of Placer and State of California.

CONNECTICUT.

Judson D. Foote to be postmaster at Montowese, in the county of New Haven and State of Connecticut.
William E. Gates to be postmaster at Glastonbury, in the county of Hartford and State of Connecticut.
Tudor Gowdy to be postmaster at Thompsonville, in the county of Hartford and State of Connecticut.

ILLINOIS.

Samuel S. Irwin to be postmaster at Rankin, in the county of Vermillion and State of Illinois.
Jennie M. De Roo to be postmaster at Fort Sheridan, in the county of Lake and State of Illinois.
William M. McDonald to be postmaster at Chandlerville, in the county of Cass and State of Illinois.
Leander W. Niles to be postmaster at Bethany, in the county of Moultrie and State of Illinois.
Darius B. Reid to be postmaster at Georgetown, in the county of Vermillion and State of Illinois.

INDIANA.

Caleb W. Barker to be postmaster at Francesville, in the county of Pulaski and State of Indiana.
Charles D. Davidson to be postmaster at Whiting, in the county of Lake and State of Indiana.
Isaac F. Lawshe to be postmaster at Swayzee, in the county of Grant and State of Indiana.
Charles McGaughey to be postmaster at Roachdale, in the county of Putnam and State of Indiana.
John W. Morrow to be postmaster at Hebron, in the county of Porter and State of Indiana.
James M. Ranstead to be postmaster at Bremen, in the county of Marshal and State of Indiana.
John P. Russell to be postmaster at Kewanna, in the county of Fulton and State of Indiana.

INDIAN TERRITORY.

Robert A. Diggs to be postmaster at Lindsay, in district 17, Ind. T.
Rena Winnett to be postmaster at Krebs, district 15, Indian Territory.

IOWA.

Bert C. Ellsworth to be postmaster at Kanawha, in the county of Hancock and State of Iowa.
N. C. Kitchell to be postmaster at Mason City, in the county of Cerro Gordo and State of Iowa.
James Schroeder to be postmaster at Guttenberg, in the county of Clayton and State of Iowa.
Eugene Stiles to be postmaster at Sidney, in the county of Fremont and State of Iowa.
Edgar O. Winter to be postmaster at Redfield, in the county of Dallas and State of Iowa.

KANSAS.

Frank W. Elliott to be postmaster at Edna, in the county of Labette and State of Kansas.
James R. Hillhouse to be postmaster at Delphos, in the county of Ottawa and State of Kansas.
William A. Hillhouse to be postmaster at Glasco, in the county of Cloud and State of Kansas.
Floyd E. Richmond to be postmaster at Logan, in the county of Phillips and State of Kansas.
Charles C. Wilson to be postmaster at Scandia, in the county of Republic and State of Kansas.

KENTUCKY.

Homer B. Bryson to be postmaster at Carlisle, in the county of Nicholas and State of Kentucky.

MASSACHUSETTS.

Wilbur F. Whitney to be postmaster at South Ashburnham, in the county of Worcester and State of Massachusetts.

MICHIGAN.

Carl M. Lund to be postmaster at Harrisville, in the county of Alcona and State of Michigan.

MINNESOTA.

Frank E. Bardwell to be postmaster at Excelsior, in the county of Hennepin and State of Minnesota.
Theodore G. Fasten to be postmaster at Scanlon, in the county of Carlton and State of Minnesota.
M. Miller Severns to be postmaster at West Concord, in the county of Dodge and State of Minnesota.

NEBRASKA.

John G. Gannon to be postmaster at Pender, in the county of Thurston and State of Nebraska.

NEW JERSEY.

Reuben Abel to be postmaster at Bernardville, in the county of Somerset and State of New Jersey.
Samuel Gordon to be postmaster at South River, in the county of Middlesex and State of New Jersey.
William H. Kuhlthau to be postmaster at Milltown, in the county of Middlesex and State of New Jersey.

NEW YORK.

John Borup to be postmaster at Tuckahoe, in the county of Westchester and State of New York.
Isaac Decker to be postmaster at Williamson, in the county of Wayne and State of New York.
Fred A. Green to be postmaster at Copenhagen, in the county of Lewis and State of New York.
Christopher B. Morgan to be postmaster at Aurora, in the county of Cayuga and State of New York.
George J. Skinner to be postmaster at Camden, in the county of Oneida and State of New York.
Hattie A. Walker to be postmaster at Bergen, in the county of Genesee and State of New York.

NORTH DAKOTA.

Philip K. Eastman to be postmaster at Wilton, in the county of McLean and State of North Dakota.
Charles H. Lee to be postmaster at Walhalla, in the county of Pembina and State of North Dakota.

OKLAHOMA.

George S. Bailey to be postmaster at Snyder, in the county of Kiowa and Territory of Oklahoma.
William T. Barrett to be postmaster at Carmen, in the county of Woods and Territory of Oklahoma.
Frank H. McCormick to be postmaster at Clinton, in the county of Custer and Territory of Oklahoma.
William Thomas to be postmaster at Thomas, in the county of Custer and Territory of Oklahoma.

OREGON.

John F. Reisacher to be postmaster at Condon, in the county of Gilliam and State of Oregon.

PENNSYLVANIA.

Coleman Smith to be postmaster at Coudersport, in the county of Potter and State of Pennsylvania.

VIRGINIA.

Harry Fulwiler to be postmaster at Buchanan, in the county of Botetourt and State of Virginia.

WEST VIRGINIA.

Benjamin O. Holland to be postmaster at Logan, in the county of Logan and State of West Virginia.
Nathan C. McNeil to be postmaster at Marlinton, in the county of Pocahontas and State of West Virginia.

WISCONSIN.

F. J. Buell to be postmaster at Burlington, in the county of Racine and State of Wisconsin.
John G. Burman to be postmaster at Amery, in the county of Polk and State of Wisconsin.
George M. Carnahan to be postmaster at Bruce, in the county of Gates and State of Wisconsin.
Charles F. Fine to be postmaster at Hillsboro, in the county of Vernon and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, January 9, 1905.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, January 6, was read and approved.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. BENTON was given leave to withdraw from the files of the House without leaving copies, papers in the case of H. R. 14794, Fifty-eighth Congress, second session, to pay heirs of John Sevier, sr., for certain lands taken by the United States.

LEAVE OF ABSENCE.

By unanimous consent, Mr. MORRELL obtained leave of absence indefinitely, on account of illness.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its Reading Clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 2269. An act for the relief of Capt. Archibald W. Butt, quartermaster, United States Army.

S. 4260. An act for the relief of Thomas C. Sweeney;

S. 3828. An act to provide for the settlement of certain claims of officers and enlisted men of the Army for the loss or destruction, without fault or negligence on the part of said officers and men, of property belonging to them in the military service of the United States;

S. 4161. An act providing for the expenditure of money hitherto appropriated for the improvement and maintenance of Ash-tabula Harbor, Ohio;

S. 4378. An act authorizing the issue of obsolete ordnance and ordnance stores for use of State and Territorial educational institutions;

S. 2749. An act for the relief of Henry Bash;

S. 181. An act to provide for the repayment of unexpended moneys deposited to cover costs of platting and office work in connection with mining claims;

S. 1586. An act for the relief of J. M. Bloom;

S. 6368. An act providing for the interment in the District of Columbia of the remains of Rose Dillon Seager;

S. 3313. An act to amend section 1706 of the Revised Statutes;

S. 4838. An act to increase the efficiency of the medical department of the United States Army;

S. 5166. An act to increase the efficiency of the Ordnance Department;

S. 5972. An act permitting the building of a dam across the Mississippi River between the village of Sauk Rapids, Benton County, Minn., and the city of St. Cloud, Stearns County, Minn.;

S. 5359. An act to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896;

S. 5889. An act to authorize the city of Minneapolis, in the State of Minnesota, to construct a bridge across the Mississippi River;

S. 6003. An act to provide for the construction of a light-house and buoy tender for the inspector of the Third light-house district; and